Th i s Wa s f r o m G o d A ContemporAry theology of torAh And history

**Emunot:** **JEwish** **PhilosoPhy** **and** **Kabbalah**

**series** **Editor**

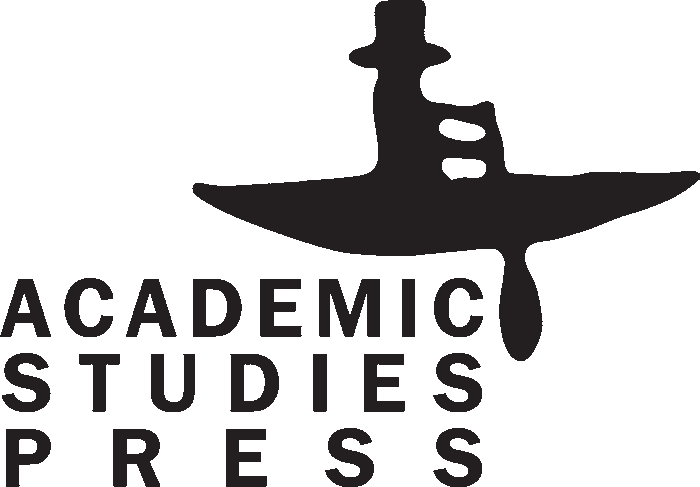
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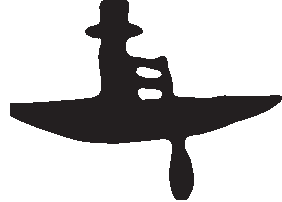
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| This Was from God  a Contemporar y Theolog y of Torah and Histor y  Jerome Yehuda Gellman | |  |

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׳וכו ,ישפנ ףודרת - ךיתווצמבו ,ךיתורותב - יבל חתפ

With Your Torah—open my heart;

And with Your commandments—pursue my soul.

**T** **a** **b** **l** **e** **o** **f** **C** **o** **n** **T** **e** **n** **T** **s**

Preface 7 Introduction 11

Part I. Challenge and Response

Chapter 1. The Challenge 29 Chapter 2. Faith-Responses 45 Chapter 3. Apologetics 58 Chapter 4. A Counterproof 73

Part II. My Theological Toolbox

Chapter 5. Divine Providence 92 Chapter 6. Divine Accommodation 112

Part III. This Was from God

Chapter 7. This Was from God 128 Chapter 8. Torah from Heaven 149

Part IV. Torah Today

Chapter 9. Reading Torah with the Hasidim 167 Chapter 10. Prayer and Commandments 189

Bibliography 203 Index 214

**P** **r** **e** **f** **a** **C** **e**

Increasingly, well-informed traditional Jews may find themselves distrustful of the reliability of Torah as history because of the conclusions of scholarly research from natural science, history, linguistics, Bible criticism, and archaeology. And, they may not be swayed by attempts to restore their trust. If they do not have

a fitting theology for their new predicament, they may well give up on Judaism altogether or else give up on their traditional Judaism. Or, they may simply repress their dificulty because they see no way of dealing with it that will allow them to retain their traditional religious loyalty. They will carry on *as* *if* *they* *believed* in the historical veracity of the Torah, when in fact they do not.

As one who has lived this problem, I want to now propose that

a person with prior *emunah*, belief and faith/loyalty in God and in the holiness of the Torah remain faithful to keeping God and the holiness of the Torah at the center of his or her life. What is needed is

a theology that appreciates the force of the challenge to Torah as history and preserves one’s traditional religious loyalty. That is the task of the present book.

Others before me have attempted this task. Yet, I am convinced that in trying to deal with this issue others have departed from Jewish tradition more than is required. Their theologies are more liberal than necessary. The method of my book is to embrace as much of “old-time religion” as possible while recognizing the new situation that more and more traditional Jews are facing. The key is to begin to think of the new developments not as a religious problem but as a religious opening.

My debt is great to many people who were of help when I was writing this book. Menachem Kellner was encouraging on many occasions when I was unsure about proceeding with this book. He made many helpful comments and also provided some sources

8 P r ef a c e

from medieval Jewish philosophy. I very much appreciate his friendship.

Early on, Alan Zaitchik read several chapters and challenged me with important philosophical objections, and he offered good advice. I continue to benefit from the many years of our friendship. Rabbi Michael Graetz read a few of the chapters of the book,

and I benefited from his knowledge of *haggadic* literature. Jonathan Malino read most of the chapters and with his logical sharpness helped me to clarify just what I was trying to argue in this book. Although we do not see eye to eye on theological matters, he met me on my own grounds and made this a far better book than it otherwise would have been.

Baruch Schwartz was helpful in conversation on my questions regarding the present situation in the discipline of biblical criticism. David Gilad was kind enough to check carefully on some of my claims about the challenge to history in the Torah in Chapter 1. Yehudah D. Zirkind provided pointed and wise comments, but

I cannot say he agrees with the position of this book. I greatly appreciate his input. Eliot Sacks was a careful reader of some of the central chapters of this book. He brought to bear his philosophy studies at Cambridge, which were not easy for me to work around. I am grateful to him for forcing me to tackle some issues head-on. Haim Waxman advised wisely at a number of crucial places in the book. I am also thankful to Alick Isaacs for his encouragement and good advice. I also want to thank Cass Fisher for his important comments on realist language about God.

Tamar Ross and I share a deep concern for the topic of this book, and I admire her masterful work and her dedication to Torah and Jewish Law. Yet we disagree about what should be said. Ross read and graciously made various comments on some of the chapters.

For that I am greatly appreciative. Her remarks forced me to state some of my positions with more care than I had, and to try to defend them the best I could. Benjamin Sommer checked, and corrected, what I attributed to him in this book. And, in personal communication he was most obliging in discussing his views. We have fundamental disagreements, yet I respect Sommer’s devotion to Torah, and to the truth. I should also mention the work of Samuel Fleishacker, which

P r ef a c e 9

serves as a good complement to what I am doing here, and I have gained from reading his thoughts.

I am greatly indebted to my teacher of philosophy, a devout Christian, Alvin Plantinga, from whom I learned the art of careful argumentation and from whom I learned to have the courage to defend religious belief when unfairly attacked. Without his guidance, personally and in his writings, this book could never have come

into being.

Rabbi Dr. Nathan Lopes Cardozo has a great fault—he vastly overrates the value of my writings. This fault, however, is well redeemed by his constant encouragement and by his readiness

to stay by my side. His example has been helpful in my decision to publish this book. His David Cardozo Think-tank graciously invited me early on to present a chapter of this book, from which I gained much.

Much of the religious background I bring to this book lies in Hasidic teachings and spirit, and in the thought of Rabbi Yehuda Leib Ashlag (1885–1954). Rabbi Ashlag’s teachings have been distorted and corrupted in various ways by some popularizers of Kabbalah. This is most unfortunate. I have been privileged to study “Ashlag” writings under a gifted, authentic teacher, Rabbi Avraham Mordechai Gottlieb, a pupil of Rabbi Baruch Shalom Ashlag (1907–91), son of Rabbi Yehuda Ashlag. Obviously, the thesis of this book is mine alone.

I wish to thank Scott Barker, Kira Nemirovsky, Gregg Stern and the rest of the staff of Academic Studies Press for their efforts in the production of this book. This is my second book with Academic Studies Press, and I am most pleased to have published with them.

I am forever grateful to my wife, Edie (a.k.a. Edith Esther), who above all others has consistently and strongly encouraged me to publish this book. For a good while, I was deeply conflicted about publishing this book because it marks a serious departure from

the customary teachings of the Orthodox Jewish community, to which I belong. Edie’s understanding of me and her persistence in encouraging me to go ahead with the project are the reasons this book is being published. To her I dedicate this book with love and devotion. May she be blessed.

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10 P r ef a c e

Let me tell you a story. One day, at a time that I was unsure whether to publish this book, because of its going “off the way” of Orthodoxy, I went to a nearby synagogue to pray the afternoon *minchah* prayer. As I sat down to pray, I noticed high on a nearby shelf several volumes of the collected letters, the *Igrot*, of the late Rabbi Menachem Mendel Schneerson, the “Rebbe” of Chabad-Lubavitch Hasidism.

I am not a Chabad-Lubavitch Hasid, but I knew that there are followers of the Rebbe who believe that through the volumes of the *Igrot* the Rebbe can communicate advice to those who seek his

counsel. They ask the Rebbe a question. Then completely at random they select a volume of the *Igrot*. Then again completely at random they open the volume to any page that comes up and pick a side of the two pages they find open, left or right, again at random. When they scrutinize the page they have selected, they are supposed to be able to find there, on that page, in the words of the Rebbe, the answer to their question.

Looking at the volumes of the *Igrot* on the synagogue shelf, worried about what I should do about the book, quite impulsively I asked the Rebbe (out loud): “Rebbe, should I publish this book?” I then reached up, and without looking I took down a volume of the *Igrot*. I then opened the volume, without looking, and slapped my hand down on the volume on the page on the right side, again without looking.

When I began to read that right-hand page, I was stunned. For the very first sentence, at the very top of the page I had picked at random, in the very volume I had picked at random, read as follows:

םסרפתו םסרפמ התאש הווקמ ינא

“I hope that you are publishing and that you will publish.”

I do not fool myself into thinking that the Rebbe would approve of this book, but maybe, just maybe, he thought it worth something nonetheless, or, perhaps more plausibly, thinking he could not stop me in any case, he thought he might do what he can to make my book better than it would have been by telling me to go ahead with it, with his approval.

**I** **n** **T** **r** **o** **d** **u** **C** **T** **I** **o** **n**

In the form traditional Judaism has taken for ages, its devotees have been expected to believe that the Torah is a historically accurate account of events that took place in ancient times. In the more strictly traditional circles, this includes that God created the world in six days, less than 6,000 year ago, that Adam and Eve were the first humans, and that multiple languages came to be as a result of the tower of Babel. Although some Orthodox Jews openly will hesitate to accept those accounts as historical, generally, they are expected to take as historically true that Abraham went to Canaan at God’s command; that Jacob had twelve sons, who became the twelve tribes; that Joseph was sold unto Egypt and became second to the Pharaoh; that the children of Jacob came to Egypt, were enslaved, and stayed there for a few hundred years, becoming a mighty nation of 2 to 3 million people; and that God liberated them by bringing ten plagues upon the Egyptians. They are expected to believe that the Israelites then wandered the desert for forty years, ate miraculous food, that God gave them the Ten Commandments and the Torah in the desert through Moses, and that the people subsequently stormed and defeated Canaan and settled in the Land of Israel. Finally, they are expected to believe—with few exceptions of text—that it was Moses who wrote the entire Torah with these accounts, at God’s direction.

Every one of the above has been broadly challenged in the past two hundred years, and especially so in the second half of the twentieth century. Natural sciences, biblical studies, archeology, and the study of the history of ancient civilizations have together formed a broad, reasoned agreement among scholars that the Torah is not a dependable source of historical information. Some go so far as to claim that there is nothing historical, or almost nothing, to the stories of the Torah. Most think that it is only details of the stories

12 I nt r o duc t ion

that are not reliable, but that at least the main stories have some basis in fact. Above these differences rides a broad consensus that one cannot accept the Torah as accurate with respect to historical reality. This conclusion contradicts head-on the traditional view of the historical inerrancy of the text.

I write this book for the sake of those traditional Jews who have become convinced that the Torah cannot be relied on for historical correctness and who cannot be persuaded otherwise. They have been persuaded by the scholarly evidence, too strong for them to deny.1 As a result, their *emunah* belief in and loyalty to the Torah is in crisis. Their new belief is a clear departure from the tradition as conceived over the ages, yet one increasingly held by traditional Jews, openly or in secret. My conviction is that deeming the Torah not historically reliable should not lead to abandoning the other components of traditional Judaism and should not be cause for abandoning faith in the Torah. I contend that a Jew could concede the lack of historical correctness and continue to believe in Torah from heaven, in Divine Providence, and in the election of the Jewish people. And such a Jew should continue to observe the *mitzvoth* (“the commandments”) of Judaism.

Given a previous *emunah,* in God and in the Torah, I shall recommend in this book that a traditional Jew who has become convinced of the historical unreliability of the Torah should acknowledge that Divine Providence itself must be bringing about this recognition of the historical unreliability of the Torah. It is hard to see how it could be otherwise. Also, the traditional Jew should now consider how it *must* be that Divine Providence wants to lead us forward to an understanding of the Torah that draws our attention to nonhistorical readings of the Torah. Divine Providence itself has orchestrated the rise of serious problems with Torah as history to lead us to emphasize the nonliteral meanings of the text. The way for a person who can no longer endorse the historical inerrancy of the Torah to proceed is not to give up on the Torah being from

1 See Chapter 2, where I accept the possibility of a faith response to this challenge.

I nt r o duc t ion 13

heaven, but to say, with deep *emunah* regarding this development of a challenge to Torah as history: תאז התיה ’ה תאמ—“This was from God.” That is the thesis of this book.

For that purpose, I develop here a contemporary theology that takes into account the challenge to the historical reliability of the Torah but at the same time advances a continued loyalty to the Torah and observance of the commandments. The theology stays closer to tradition than others before me would have it. It is an “old-time religion” theology adjusted for the challenge to the Torah history. My theology will be indebted to the Hasidic literature when I come to propose how to proceed in the new situation. My book by another name could be *Biblical* *Research* *and* *the* *Hasidim*.

It will be beneficial to set down here some preliminary theological tools to be employed throughout. Part II will add further tools to my theological toolbox.

I start with what I will call my “Satisfaction Criterion” for an acceptable existential stance toward one’s traditional Judaism:

Satisfaction Criterion: A contemporary approach to traditional Judaism must leave one with a good religious reason to make great personal sacrifices for the sake of his or her Judaism and to teach one’s children (and others, when relevant) to make similar sacrifices.2

Great personal sacrifice has gradations, from willing to extremely inconvenience one’s time, to spending large sums of money that one might not quite afford, to sacrificing meaningful relationships, if it comes to that, all the way to sacrificing one’s life for one’s Judaism. In endorsing the Satisfaction Criterion, I will not set down the extent of great sacrifice required, that is, whether it must include sacrificing one’s life. I say that even though traditional Judaism does demand giving up one’s life for the observance of some of the

2 I thank Menachem Kellner for helping me formulate this criterion. There may be reasons other than religious ones for which one would be willing to make great personal sacrifices, as, for example, for the sake of the Jewish people. Such sacrifice will not be for religious reasons, but for nationalist ones. (Of course, there can be mixed religious and nationalist motivations.)

14 I nt r o duc t ion

commandments of Judaism in certain circumstances. Yet, in today’s world I think it would be very hard to expect many traditional Jews to give their lives for their Judaism, even when they take it very seriously. In such a situation, I deem a theology of Judaism successful if it motivates great personal sacrifice, and teaches the same to children, leaving open the exact forms that sacrifice will take.

The Satisfaction Criterion serves as a corollary of my validation of “ultimist” religious belief, in general, and in traditional Judaism, in particular. A religious belief is “ultimist” when, roughly,3 a person sincerely

1. Endorses that an existing being, state of affairs, truth, or mode of being, is ultimate, that is, it signifies the deepest fact about the nature of reality, and in relation to which an ultimate good is to be attained; and

2. Has an ultimate commitment to cultivating the attainment of the ultimate good, through organized participation with others in a tradition of revered texts, rituals, and/or other activities for expressing, advancing, or understanding, and living in accordance with clause 1.4

When people have an “ultimate commitment,” they make central to their lives the conforming of how they live to the standards proposed by there being an ultimate existent, truth, or mode of being, in relation to which an ultimate good can be attained. At least in principle, it is the most deeply influential among one’s commitments.5 To be an ultimist, in my sense, is at the very minimum to recognize that one should be aiming to be a full ultimist.

3 “Roughly” because I could go on to refine the following characterization on several points. Yet, what I present will sufice for the purposes of this book.

4 My use of the term “ultimism,” as well as my characterization of religion, is my revision of J. L. Schellenberg, *The* *Will* *to* *Imagine:* *A* *Justification* *of* *Skeptical* *Religion* (Ithaca: Cornell University Press, 2009).

5 Revision from ibid., 18.

I nt r o duc t ion 15

The Satisfaction Criterion is a corollary of ultimism, because I take it that an ultimist would be willing to make the extreme sacrifices required by that definition. And, only ultimist religion is really worth sacrificing for in the extreme way I have in mind.

As a result, I reject ways of dealing with the historical unreliability of the Torah that do not fulfill that criterion and my characterization of ultimist belief. To give some examples, I reject solutions to the problem of history that urge one simply to continue with one’s traditional Judaism because it is personally rewarding: simply going along with the talk about history but ignoring its import. Another example: I reject a solution that simply appeals to one’s sense of personal identity, that you have a personal identity as a traditional Jew. So, rather than rebel against that identity, simply go along with all of the talk about history, but just ignore its import. That a religious life is rich and rewarding certainly motivates some sacrifice, but it is hard to see it demanding great sacrifice, especially at those points where it might not be so rich and rewarding, which it sometimes is not. And though people might make sacrifices for their perceived self-identity, in today’s world self-identities are no longer—if they ever were—monolithic. A complex pattern of identities is more likely the case, with different degrees of importance depending on circumstances and purposes. Identities are easier to realign than ever. Neither of these is ultimist or would fulfill the Satisfaction Criterion. Or, so it seems to me.

For Judaism, the ultimate of all commitments is to God. This brings me to how I am thinking of God in what follows. When writing of God, I, along with the vast majority of believers in God (with notable exceptions), intend discourse about God to be about a real, acting, metaphysical reality that actually, really exists and has characteristics of its own, independently of how anybody thinks of it. My view of God, then, is what philosophers call a “realist” one.

I am rejecting “nonrealist” construals of discourse about God, which do not recognize God to be a real, independent, metaphysical reality. A nonrealist might think of God as an imaginative fiction designed to help us express or encourage a commitment to a way of life. Or a nonrealist might treat talk about God as merely “symbolic,”

16 I nt r o duc t ion

an emotive way to point out certain positive features of reality. Or a nonrealist might “posit” God as a “regulative concept,” required to regulate this or that aspect of life, but not really believing there is such a thing, really.

I question the very possibility of being able to *state* a nonrealist view of God, one that does not afirm God’s real, genuine, actual, independent existence, within traditional Judaism. A Jew is commanded to love God with all her heart, with all her soul, and all her strength (Deut. 6:5). Maimonides instructs us as to a proper love of God: “It is to love God with a great, abundant, most powerful love, until one’s soul is bound up with love of God so that one is absorbed in it constantly . . . when one is sitting, when one stands, and when one is eating and drinking.”6 The *Sefer* *Hachinuch*, by a thirteenth-century, anonymous author, follows Maimonides by listing six commandments, each of which is a *mitzvah* *t’midit*, involving an obligation demanding constant fulfillment. These include love and fear of God.7

One of the great rabbinical figures of the twentieth century, Rabbi Abraham Isaac Kook, wrote an introduction to his commentary to the Jewish prayer book, in which the theme is “the constant prayer of the soul.”8 This is summed up in Psalm 16:8, “I have set the Lord always before me.”

In other words, the ideal towards which one is to strive in traditional Judaism is to be at all times in a state of loving intimacy with God. It follows that there is no time in the religious life in which nonrealism can be stated. For to do so is to suspend or demote the existential religious consciousness of God for a dominant external, reflective, philosophical one, and to grant that God does not really, actually exist. To do so at any time—which is at all times—is to actively act against one’s obligation that one’s religiously existential

6 Moses Maimonides, *Mishneh* *Torah*, Laws of Repentance, chap. 10; my translation.

7 *Sefer* *Hachinuch*, commandments 25, 26, 387, 417, 418, 432.

8 Abraham Isaac Kook, introduction to *Olat* *Raayah* (Jerusalem: Mossad Harav Kook, 1963–1964) (Hebrew).

I nt r o duc t ion 17

state dominates one’s consciousness. Nonrealism reduces our talk of God to a list of “purposes” rather than talk about a living God with whom we are to be in constant relationship. Thus nonrealism about God becomes normatively ineffable for traditional Judaism. There is no time at which it may be uttered or thought. Indeed, the difference between philosophical realism and nonrealism about God collapses within the Jewish ideal, for in that ideal there is only the religious awareness. There exists no place outside of that context to declare nonrealism.

There is no way to arrive at a nonrealist understanding of God without, as it were, stepping outside religious language and observing it from the outside. In practice, therefore, the religious nonrealist cannot live the life of wholehearted religious absorption that in principle is available to the religious realist.9

There have been philosophers who have argued against the possibility of metaphysics and thus of a metaphysical God, such as David Hume, Immanuel Kant, and logical positivists, respectively. That contradicts a realist conception of God and serves a nonrealist approach.

David Hume famously wrote:

If we take in our hand any volume; of divinity or school metaphysics, for instance; let us ask, does it contain any abstract reasoning concerning quantity or number? No. Does it contain any experimental reasoning concerning matter of fact and existence? No. Commit it then to the flames: for it can contain nothing but sophistry and illusion.10

Kant’s rejection of metaphysics follows from a complex set of philosophical principles about the nature of human knowledge.11 And logical positivists, such as A. J. Ayer, forcefully taught that

9 I thank Eliot Sacks for this way of putting it.

10 David Hume, *An* *Enquiry* *Concerning* *Human* *Understanding*, ed. Eric Steinberg (Indianapolis: Hackett, 1993), 114.

11 This topic is very dificult; however, see Karl Ameriks, “The Critique of Metaphysics: Kant and Traditional Ontology,” in *Cambridge* *Companion* *to* *Kant*, ed. Paul Guyer (Cambridge: Cambridge University Press, 1992), 249–79.

18 I nt r o duc t ion

only logical truths and statements verifiable by the senses could be semantically meaningful.12 Each of these rules out metaphysical beliefs, chief among them the existence of God (but Kant did urge “positing” God for the sake of morality).

However, each of these thinkers has argued from specific epistemologies that are tailored from the start to rule out God as an actual metaphysical reality. None of these epistemologies is compelling from a philosophical point of view. Philosophers have largely rejected Hume’s epistemology, and that of logical positivism, as simplistic and self-defeating, and they are strongly divided about Kant’s epistemology. In any case, in philosophy you rarely get anything like a flat-out proof that clears the field.

Given the plurality of different available epistemologies, a per-son who believes in God as an actual being should feel under no obligation to capitulate to a contested epistemology fashioned so as to prohibit her from holding her belief. Such a person should take the legitimacy of her belief as a *requirement* of an acceptable epistemology, until the time comes that it becomes impossible to do so by a strong philosophical proof that does not simply beg the question. The possibility of that happening is remote in the extreme.

From another angle, there are some who would protest that a metaphysical God is wholly transcendent or ineffable, so that nothing very meaningful can be said about God at all. So when philosophizing, God does not enter into discourse: God suffers from linguistic transcendence. Within religious practice, (false) images of God are allowed because they serve the pragmatic needs of the religious life. This is not quite nonrealism, but in practice it is almost identical to a nonrealist position about God.

For sure, in Jewish history there have been voices talking this way about God’s incomprehensibility. But such conceptions do not do justice to the way people relate to God in religions. The sense of God’s realness, especially in prayer, defies this understanding. The insistence on God’s incomprehensibility to the point of God’s disappearing is little different from nonrealism with respect to God.

12 A. J. Ayer, *Language,* *Truth,* *and* *Logic* (London: Penguin, 2001).

I nt r o duc t ion 19

Both neutralize God within the religious life. No doubt some sincere people hold this view today, but the idea can be used simply as a way of getting out from under God.

There are respectable conceptions of God that preserve God’s mysterious otherness while at the same time preserving the possibility of saying true things about God. For example, Thomas Aquinas had an *analogical* theory of talk about God that preserved God’s otherness. In this, God and creatures share attributes but possess them in radically different modes—infinite and finite. We are wise in a creaturely way, but God is not wise in that way, yet both God and we are wise.13

There are also “functionalist” analyses of talk about God. William Alston has advanced such a view based on the following functionalist idea:

The concept of a belief, desire or intention is the concept of a par-ticular function in the psychological economy, a particular “job” done by the psyche. A belief is a structure that performs that job, and what psychological state it is—that it is a belief and a belief with that particular content—is determined by what that job is . . . . Our ordinary psychological terms carry no implications as to the intrinsic nature of the structure, its neurophysiological or soul-stuff character. . . . Thus, on this view, psychological concepts are functional in the same way as many concepts of artifacts, for example, the concept of a loudspeaker.14

So, God can be said to have a “belief” in the sense that God has something that functions in God the way belief functions in us. But in God the actualization of the belief is very different than in us. Yet, God’s beliefs and ours do the “same job”—and so forth for other attributions to God.

13 For a respected presentation of Aquinas’s theory of analogy, see Ralph McInerny, *Aquinas* *and* *Analogy* (Washington, D.C.: Catholic University of America Press, 1996).

14 William P. Alston, “Functionalism and Theological Language,” in *Divine* *Nature* *and* *Human* *Language:* *Essays* *in* *Philosophical* *Theology*, ed. William P. Alston (Ithaca, NY: Cornell University Press, 1989), 67–68.

20 I nt r o duc t ion

I humbly offer a metaphor for how language about God works that is compatible with both the analogical and functionalist conceptions. Consider, now, the relationship between a computer’s chip and its hard drive (the “inside”), on the one hand, and what you see on the visible screen, on the other:

1. What is in the inside is nothing like what you get on the screen. In the inside are no colors or shapes of the picture on the screen. You can peer into the inside with the most powerful microscope, and you will see no pictures of people or words.

2. However, the computer has a “translation” mechanism that accounts for what you see on the screen as a correct manifestation of what is inscribed in the inside.

3. Therefore, what you see on the visible screen is the result of what is to be found in the inside. Change the contents in the inside and you will get something different showing on the screen.

4. What comes on the screen can be distorted by factors neither intended in the inside nor due to the translation mechanism from inside to screen, such as electrical interference, viruses, or grime on the screen. Even then, there is embedded in the inside a route from the inside to the screen that would project correctly from the inside to the screen.

Concerning the relationship between the way God is in God’s self and the way we think of God, we can say:

1. Generally speaking, inside God there is nothing true to how God is thought about in the tradition (the “visible screen”).

2. However, there exists a divinely ordained metaphysical “translation” mechanism (the “chip” and “hard drive”) responsible for faithfully projecting what is inside God into the tradition (the “visible screen”).

3. Therefore, the way God is thought of in the tradition is the result of what is inside God. Had God been different, the

I nt r o duc t ion 21

tradition would have had a different way of thinking about God.

4. What comes on the visible screen of the tradition can be distorted by various interferences to the mechanism. Even then, though, there is still embedded in the metaphysical mechanism a route from what is inside God to the tradition that would project correctly from God to the world-screen.

The upshot of this is that statements about God are meant to be true, factual statements. So, for example, to say “God has providence over the world,” translates into something like the following factual statement: “There is something in God that is correctly projected onto the world as: *God* *having* *providence* *over* *the* *world*, even though inside God there is nothing that is so truly describable.”

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Part I, “Challenge and Response,” begins with Chapter 1, “Torah and History.” This chapter provides the basis for the ensuing discussion, presenting main points in the case against the historical reliability of the Torah that many have found convincing, in part or in whole. My main focus is on the crucial events of the stay in Egypt and the Exodus.

I have included the main claims to be found in research of the past two hundred years, from archeology, biblical studies, and natural science. The central scholarly conclusion is that the Torah is not a dependable historical document. Nevertheless, mainline scholars would agree that the case against the historical reliability of the Torah can be consistent with the existence of some historical basis for the central motifs of the Torah narratives. I want to point out, though, that the thesis of this book does not depend in any way on assuming a historical kernel for any of the Torah narratives. It will make sense to you even if you believe, along with “minimalists,” that nothing in the Torah really happened.

Chapter 2, “Faith-Responses,” considers the “Hard Faith-Response” and the “Soft Faith-Response” to the scholarly challenge to Torah as history. The Hard Faith-Response is simply *dismissive* of

22 I nt r o duc t ion

the relevant scholarly claims. It declares that the conclusions of the scholars are not compelling because they are inconsistent with faith in the historical accuracy of the Torah. I acknowledge the legitimacy of the Hard Faith-Response, but only when the person making such a response meets certain conditions.

Unlike the Hard Faith-Response, a Soft Faith-Response does not simply dismiss scholarship from afar. A Soft Faith-Response attempts to demonstrate to the faithful how evidence of scholarship should be interpreted in light of the fact that the Torah is historically accurate. The Soft Response addresses scholarship directly by explaining how matters would be had scholars only had the proper faith in place. The hope is to weaken scholarship in the eyes of the faithful suficiently until it is no longer credible. The Soft Response as I envision it, tries to defuse scholarship by allowing as much of the evidence as possible, while imposing a faith understanding to deflect the evidence away from naturalistic explanations. I argue that although this response might detract somewhat from the evidence against historical reliability, it does not have enough to it to make any real difference in the larger picture.

If one does not adopt the Hard Response as one’s own, then the next best defense might be to turn to apologetic arguments against scholarship. In Chapter 3, “Apologetics,” I take up such responses to the challenge to Torah as history. Apologetic responses are not supposed to depend on faith, as do the Faith-Responses, but they are alleged to meet the Challenge entirely on scholarly grounds. I call these “apologetics” without thereby meaning to disparage them from the start in any way. Rather, I use the term “apologetics” as it is commonly used in Christianity to denote a respectable, serious, defense of the faith.

I show that none of the apologetic responses I survey, that represent the genre, alone or together, make a serious impression on the case of the Challenge. Too often, the apologetic moves display a serious lack of knowledge of the issues, or, worse, are deliberate deceptions and conscious manipulations of relevant material to protect a privileged position.

Chapter 4, “A Counterproof,” is dedicated to a specific attempt to “prove” the historical reliability of accounts of at least the central

I nt r o duc t ion 23

events in the Torah, most specifically the Sinai revelation. This is the so-called “Kuzari Argument,” after an argument ascribed to in the book of *Kuzari* by Judah Halevi. It is a reasoning that enjoys increasing popularity among Orthodox Jewish apologists.

This proof says that if the sensational stories of Hebrew Scriptures, especially the Sinai theophany, had not occurred, nobody would have believed these stories thereafter if these stories had been invented. People would protest that had these things really happened, the people would surely have already heard of them. Since people did believe these stories, these events must have happened.

In reply, I note that the Torah, thousands of years ago, described an event of outstanding vividness and extraordinary meaning, that is, of a spectacular founding event to which, reportedly, all Israelites were witness. Intuitively, this counts as evidence that *something* memorable happened back then, either at Sinai or elsewhere. But this minimal intuition counts for little in the challenge to Torah as history. The Kuzari Argument, for its part, fails to improve on that minimal intuition. The argument, even if sound, fails to establish its conclusion, *all* *evidence* *considered*; it fails, even if sound, to establish the historical correctness of many of the Torah narratives; and it fails to establish that if something *did* happen at Sinai, it was a divine revelation. Hence, as a proof against the challenge to Torah as history, the Kuzari Argument is not very effective.

The conclusion of Part I is that if one has become convinced of the case against the historical reliability of the Torah narratives, there is not enough in the responses to justifiably change one’s mind. I write for precisely those people who have become convinced that the Torah narratives cannot be taken historically, at least down to their details, and who then have failed to be convinced by attempts to reconvince them of the historical correctness of the Torah.

In Part II, “My Theological Toolbox,” I turn to the task of developing a contemporary theology of Torah as history, one that acknowledges the success of the Challenge and retains a traditional loyalty to the Torah and observance of the *mitzvoth*. In this part, I develop two theological tools (added to the ones presented above) that I will need for what follows.

24 I nt r o duc t ion

In Chapter 5, “Divine Providence,” I develop a viable conception of Divine Providence. After noting what I call “maximal” and “minimal” providence, I settle on what I call “moderate providence.” Moderate providence allows occasional divine interventions into the natural order, but it works regularly by a holistic, “top-down” influence on the world , and, possibly by divine intervention at the quantum level. The upshot is that God providentially guides the world but without necessarily determining the details, or at least many of them.

The chapter defends moderate providence against the claims of “naturalism,” of various kinds, which would rule out divine action of any kind in the world, and against the charge that moderate providence contravenes the principles of science. I conclude that moderate providence comes out undamaged from these objections. This chapter tends to the technical and complex in its reasoning. The reader so inclined can safely skip reading this chapter in depth, as long as he searches it to locate the definition of “moderate providence,” how it works, and the rationale for adopting it.

In Chapter 6, “Divine Accommodation,” I afirm the notion that divine revelation is adjusted to the disparate intellectual, moral, and spiritual level of humanity at a given time. It follows that not all we find in the Torah need be literally true. I show how this idea has had a respectable history in traditional Judaism, but nobody had envisioned the degree of departure from the historical we now face. The pair of moderate Divine Providence and divine accommodation prepares us for a formulation of my theology of Torah as history.

Part III, “This Was from God,” is the heart of this book. In Chapter 7, “This Was from God,” I urge that a person of *emunah*, of faith in God and Torah, who distrusts the Torah as history, should see the rise of the scholarly rejection of the historical accuracy of the Torah as issuing from Divine Providence itself, bringing to reality a long history of moving toward nonhistorical readings of the Torah. God has brought us to a new juncture in history. This was from God. In the circumstances, the most plausible type of providence to adopt is moderate providence. Divine accommodation pertains to the historical conceptions people have as much as it does to other realms of human culture. The chapter consists of working

I nt r o duc t ion 25

out how my theology squares with scholarly research and how it is religiously adequate.

Chapter 8 presents my view of “Torah from Heaven.” On my view, belief that Torah is from heaven does not stand alone. It stands together with the belief that, in a sense, the continued existence of the Jewish people is from heaven. And it goes with the belief that the forms of Jewish life as lived through the ages, without romanticism, with all their dificulties and human shortcomings, are from heaven. And it stands with the belief that, in a sense, the rabbinic and later teachings are from heaven. That is to say: it is all one big miracle. This compound belief stands as the faith conviction of a traditional Jew.

Torah is from heaven, then, in the sense that it comes about through God’s shaping of history by top-down influence, punctuated by direct divine intervention. And the Torah comes about in a form that reflects God’s accommodation to the historical, scientific, and moral levels at the time of the Torah’s composition. The Torah is holy as a product of the confluence of those two dominating divine intentions and actions. In the same way, the past and continued existence of the Jewish people, and the forms of Jewish life, are from heaven. And in the same way the oral Torah is from heaven. I show how this understanding helps deal with the challenge to Torah as history.

Then I consider two other views of “Torah from Heaven” that have been put forward. The first is the model of Norman Solomon that the Torah is a “founding myth” of the Jewish people and as such has “mythic truth,” not historical truth. I show the religious inadequacy of this view. The second view is the “participatory theology” of Benjamin Sommer, according to which the Torah is the product of a dialogical process, with God on the one side and mortals on the other. There are some lines of similarity between Sommer and my position, but I find that Sommer’s position grants theologically too much to contemporary scholarly developments, at the expense of Jewish tradition.

Part IV, “Torah Today,” begins with Chapter 9, “Reading Torah with the Hasidim,” in which I propose providing a nonhistorical overlay to the Torah text. My proposal is to adopt the approach of the

26 I nt r o duc t ion

Hasidic literature in the way it provides nonliteral ways of reading. The aim of such readings is to advance the self-transformation of the person away from being a self-centered, self-absorbed personality, which is how we start out life. Such transformation has profound religious meaning in our being called to come to imitate the attributes of God, *imitatio* *Dei*. In addition, the Hasidic way of reading helps lighten some of the moral problems moderns tend to find in some Torah edicts.

My proposal recommends itself, especially for our times, in light of the imbalance in today’s Western societies between the overbearing strength of liberal values, centering on individual rights, and the relative weakening of communitarian values, centering on the value of community and of community-situated selves. Judaism has been far more communitarian than liberal. We should be restoring a better balance between the two by strengthening communitarian values. Self-transformational readings advance that goal as little else can.

In my final chapter, Chapter 10, “Prayer and Observing the Commandments,” I position the meaning of prayer and the observance of the *mitzvoth* (“commandments”) within my proposal for the new readings of the Torah. In a number of ways, prayer now becomes a major venue for self-transformation. References in prayers to historical happenings become nonliteralized for the sake of self-transformational progress. In the same chapter, I defend an in principle orientation for the continued observance of *mitzvoth* as real outward acts, even when those *mitzvoth* are historically contextualized in the Torah. I offer a way of understanding those *mitzvoth* so that their literal performance survives the turn to the nonhistorical. And I speculate on the purposes of historically contextualizing commandments in the first place.

I conclude the chapter with some general thoughts about *mitzvoth* deemed to be in conflict with moral sensibilities, especially with newly emerging progressive moral judgements. I have argued that the problematizing of the historical can be attributed to Divine Providence, so that we are being led to nonhistorical reading. But then, should we not be able to say equally that Divine Providence is leading us to abandon or take as nonliteral those commands we

I nt r o duc t ion 27

now perceive to be immoral? Though this reasoning has some merit, I argue on theological grounds that it ignores crucial differences between command revision for moral reasons and narrative revision for historical research. These differences, however, should not prevent us from utilizing all legal means to avoid implementing the clearly morally problematic commandments.

In the end, all turns out well. Well, maybe not *all* turns out well, but I hope *some* of what I have written turns out well.

**Part** **I**

**Ch** **a** **lle** **nge** **a** **nd** **re** **sPonse**

**Chapter** **1**

**Th** **e** **Ch** **a** **l** **l** **e** **nge**

In this chapter, I present in summary fashion the challenge to the historical validity of the Torah that emerges from the natural sciences, academic biblical scholarship, and archeology together. This chapter is presented from the point of view of the challenger. In the following three chapters I will examine responses to the denial of the historical accuracy of the Torah, as outlined in this chapter. (Note that all translations from the Hebrew Bible throughout this book are mine, but sometimes I have made adaptations to extant translations.)

What we will be looking at in this chapter is the settled view of a wide swath of researchers: past and present, young and old, religious and atheist, Christian and Jew, archeologist and linguist, biblical scholars and natural scientists, American and European, with only a relatively minor number of significant dissents among them on the issue occupying us, coming mainly from Evangelical scholars. We will be looking at scholars who clash over details concerning the Torah narratives, scholars with conflicting initial interests and purposes, who, nevertheless, come down together to a significant, well-attested agreement that the Torah does not afford a dependable record of historical events, at least not in its details. This is the Challenge.

**Creation**

Genesis 1 says that God created the world in six days and then rested. According to biblical chronology this would make the universe about 6,000 years old. Astrophysicists are in wide agreement that our universe is 13-plus billion years old. And geologists are

30 Pa r t I . C h a l len g e a nd R e s p on s e

in general agreement that our earth is 3.5 billion or so years old. Genesis 1 relates the coming into being of the sun, the stars, and the moon as instantaneous creations. Again, scientists are in reasoned accord that these heavenly bodies developed over eons of time from earlier states of the universe. They did not pop into existence all at once in their present form, and the earth did not predate their existence, as Genesis would have it.

Genesis 1 provides a description of life forms coming into existence. This description clashes with evolutionary science at many points:1

1. Genesis 1:20 declares that God’s first act of creating life was that of creatures in the water and birds that fly in the sky. We should not expect the Bible to have begun with the earliest forms of life, presumably stromatolites, which are not necessarily of any interest to the reader of the Torah. Nonetheless, not all sea creatures are of the same evolutionary category. Cetaceans, comprising whales, dolphins, and porpoises, are mammals that transformed from land animals into dwellers of the sea.2 Hence, not all sea creatures could have preceded all land animals, as is implied by the fact that “sea creatures” were created before land animals.

2. Genesis 1:20 has a second problem. According to evolutionary science, birds were relatively late arrivers on the evolutionary stage. They evolved from land animals. Yet verse 20 has birds being created before land animals. This contradicts evolutionary science.

1 I, and those in my intended audience, take evolutionary science to be beyond serious doubt. However, evolutionary science cannot support the argument that there was no divine guidance in the evolutionary process. On this, see Jerome Gellman, “A Critical Study of Richard Dawkins, *The* *God* *Delusion*,” *Philo* 11 (2009): 193–202. Also see my Chapter 5 herein.

2 For a thorough documentation of the evolution of cetaceans, especially whales, from land animals, see Kate Wong, “The Mammals That Conquered the Sea,” *Scientific* *American* 286, no. 5 (2002): 70–79.

C h apt er 1. T he C h a l len g e 31

3. Genesis 1:20 implies that life began with the seas “swarming” with life. This contradicts evolutionary science, which states that life evolved gradually and that the seas did not “swarm” with life until millions of years went by.

4. The Genesis account portrays God as creating living creatures “according to their kind,” implying that the various creatures were created full-blown from the very start in their present form. This contradicts the gradual development of species from common ancestry over a great period of time.

5. Genesis 26 and 27 imply, and Gen. 2:6–7 states explicitly, that *Homo* *sapiens* were created from scratch and did not evolve from prior life forms. This contradicts evolutionary science, which says that *Homo* *sapiens* evolved from a common ancestor along with the apes and passed through various humanoid stages.

6. According to Genesis, all life forms were created in two days, the fifth and sixth days of creation. This contradicts the millions of years of biological development posited by evolutionary science.

7. In Gen. 2 it appears that animal life existed before there was vegetation. This goes flat out against evolutionary science.

The creation story of Genesis is strongly at odds with a scientific picture of the past. However, some traditional thinkers have found ways, not so very convincing, to square the scientific picture with the first two chapters of Genesis.3 Not so regarding the continuation of the early chapters of Genesis. The manner in which human populations are reported to have grown and spread out in and from the Middle East, the way utensils are said to have been invented all at once by a single individual, the history of the growth of languages, and early genealogies, are all at odds with broad evidence on these

3 See, for example, Nathan Aviezer, *In* *the* *Beginning:* *Biblical* *Creation* *and* *Science* (New York: Ktav, 1990).

32 Pa r t I . C h a l len g e a nd R e s p on s e

events from extensive scholarly research.4 The story of the sons of the gods and the story of the giants in Gen. 5 are acknowledged as nonhistorical, even by a bona fide Orthodox commentator, the “Malbim.”5

**The** **Flood**

The Flood is predicated on an ancient cosmogony in which the earth is flat and below it a massive primeval ocean. Until this day the Jewish prayer book has a blessing thanking God for spreading the earth over the water. Likewise, ancient cosmogony is predicated on there being a heavenly ocean above the firmament. These two sources of water are given in Genesis as sources of water, that flooded the entire earth: “All the fountains of the great deep burst forth, and the windows of heaven were opened” (Gen. 7:11).

Science tells us that there is not and never was a massive ocean in the sky. According to this, no massive amounts of water were added to the oceans from a nonterrestrial source. The Flood as depicted in Genesis is scientifically impossible. Furthermore, that all animal species, including all Australian marsupials, South American monkeys and llamas, and Chinese pandas, all came to Noah, were on the ark, and then returned to their starting points (which starting points are verified by evolutionary geography and paleontology) is not a scientific possibility. That all extant life, including all extant human life, spread out fewer than six thousand years ago from the meager number of animals and humans that landed on Mt. Ararat is impossible according to the far-reaching findings of evolutionary science.

4 For some of the problems with genealogies early on in Genesis, see the highly respected Claus Westerman, *Genesis:* *A* *Practical* *Commentary* (Grand Rapids. MI: Eerdmans, 1987), 39–45.

5 See Meïr Leibush Wisser, “Malbim,” in *Torah* *Umitzvot* (Tel Aviv: 1978), 42–43 (Hebrew), in which he writes that with these stories the Torah is only reporting on mythological beliefs of the people of that time.

C h apt er 1. T he C h a l len g e 33

**The** **Patriarchs**

No researcher could show that the *person* Abraham never existed. For Abraham to have existed requires only that there have been a person, Abraham, *about* *whom* people told the stories of Genesis. It does not require that most of the stories be true, or even that any of them be true. Consider this. Imagine your meeting a person and discovering that all the bad stories you had heard about her were not true. She proves to be a charming, gracious, selfless person. That the stories were not true does not mean that *she* does not exist. *She* exists all right, and those stories were told about *her*. The only problem is that the stories about *her* were false. Just so, even if all the stories about Abraham in the Bible were false, it would not follow that there never existed *the* *very* *person*, Abraham, *about* *whom* people told false stories.

To show Abraham did not exist, you would have to show that the stories were not told *about*any one person who existed but about a fictional character or about a pastiche of many different people and were fused together around an arbitrary name, *and* at no time were they transferred to be told about one real person who existed, namely, the one who was Abraham. This is something that no re-searcher can show. This is true even for a story that the researcher can prove predated Abraham. That’s because a story people origi-nally told about somebody else could have been transferred after-ward to be told about Abraham, that very same person who people now had in mind when telling the old stories. And the same holds true for a story the researcher can prove postdated Abraham. For a story told *at* *first* about a person who lived after Abraham could then have been transferred to be told instead *about* Abraham, the very *same* Abraham about whom earlier stories were told. Or a fic-tional story could be made up *about*Abraham, that very person who existed in the flesh, the same subject of the other stories, just as one could write a fictional novel *about* a real person, such as John F. Ken-nedy. Similar observations apply to Moses. It could not be shown that the very person, about whom the biblical stories were told, did not exist. The only issue is whether the stories are true or not.

The question, then, is how many of the stories told about Abraham, or Isaac or Jacob, if they existed, were true or could have

34 Pa r t I . C h a l len g e a nd R e s p on s e

been true about them. This question involves an ambiguity between (1) claiming that the stories have some historical basis, particulars aside, and (2) claiming that the stories are true down to their details. Scholars are divided about (1) regarding the stories about the patriarchs. Some argue that the stories are grossly false and have no basis whatever in fact. This includes, prominently, minimalists such as Phillip Davies, Niels Lemche, Thomas Thompson, John van Seters, and Israel Finkelstein and Neil Asher Silberman, who take the Hebrew Bible to be a fiction, or close to it.6 However, there is a broad, evidence-based consensus among scholars, moderate and revisionist, and among some of the more conservative scholars, denying (2). Very few, if any, academic scholars maintain that the biblical stories about the patriarchs are true down to specifics. Most scholars think that the patriarchal stories have *some* basis in history. Yet, they are divided about, for example, the dates of the patriarchs, their relationship to one another, and about the true role they played in the beginning of the Israelite religion. This broad evidential consensus about the unreliability of details is suficient to make biblical scholarship grossly inconsistent with the tradition, which maintains that these stories are true down to the last detail.

One main problem archeologists and historians have with the patriarchal stories is their chronology, both internal to the Torah and in relation to external, chronologically reliable sources. There are dificulties in making the stories fit a historical chronology, with their apparent anachronisms and otherwise historical anomalies.

6 See Phillip R. Davies, *In* *Search* *of* *“Ancient* *Israel”* (London: Continuum, 2006); Niels Peter Lemche, *The* *Israelites* *in* *History* *and* *Tradition* (Louisville, KY: Westminster John Knox, 1998); Niels Peter Lemche, *Early* *Israel,* *Anthropological* *and* *Historical* *Studies* *in* *the* *Israelite* *Society* *before* *the* *Monarchy*, trans. F. H. Cryer (Leiden: Brill, 1985); Thomas L. Thompson, *Historicity* *of* *the* *Patriarchal* *Narratives:* *The* *Quest* *for* *the* *Historical* *Abraham* (Berlin: de Gruyter, 1974); Thomas L. Thompson, *The* *Mythic* *Past:* *Biblical* *Archeology* *and* *the* *Myth* *of* *Ancient* *Israel* (London: Jonathan Cape, 1999); John van Seters, *Abraham* *in* *History* *and* *Tradition* (New Haven, CT: Yale University Press, 1975); and Israel Finkelstein and Neil Asher Silberman, *The* *Bible* *Unearthed:* *Archeology’s* *New* *Vision* *of* *Ancient* *Israel* *and* *the* *Origin* *of* *Its* *Sacred* *Texts* (New York: The Free Press, 2001).

C h apt er 1. T he C h a l len g e 35

There are serious dificulties in matching names of nations, kings, and territories with known documents from that age. Here are some of the reasons for this dificulty. The Philistines are in Grar according to Gen. 26:1, yet almost all researchers say that findings show that the Philistines did not establish coastal settlements until the twelfth century BCE, long after the time of the patriarchs according to biblical chronology. Also, there are grave dificulties in thinking the Hittites were in Canaan in the Patriarchal age to the extent implied by the biblical narratives.7 Another problem is the mention of “gum, balm, and myrrh” in the caravan in the Joseph story. It is claimed that this merchandise reflects a trade route that arose only in the eighth to seventh century BCE.8

The reference to a place called “Dan” in Gen. 14:14, in a story about Abraham, is a glaring anachronism, since Dan had not yet lived then and received land in the north only much later. The reference to Dan in Genesis clashes with the account in Josh. 19:47, where it is related that the tribe of Dan only later conquered an area from Leshem and named it “Dan,” and with a different account in Judg. 18 about how Dan later conquered Layish and founded a city they then named “Dan.”

Thenomadicdepictionofthelivesofthepatriarchs,itisclaimed, is at odds with the realities of nomadic life at the time. For example, slaves, in contrast to Gen. 14, were not part of nomadic life at that time. There is reason to think that, contrary to the Pentateuch, Edom andAmon were not large important kingdoms in Canaan before the arrival of the Israelites much later.9 References to the Arameans as sedentary dwellers (Gen. 24) are considered anachronisms. There is broad agreement that the story ofAbraham’s battle with the kings in

7 For a review of the dificulties see Ellen White, "The Hittites: Between Tradition and History," *Biblical* *Archeology* *Review*, 42: March/April, 2016: 28-38.

8 For the patriarchal age from a radical point of view, see Finkelstein and Silberman, *Bible* *Unearthed*, esp. chap. 1 and appendix A.

9 See entries on Edom and Moab in David Noel Freedman, ed., *Anchor* *Bible* *Dictionary* (New York: Doubleday, 1992).

36 Pa r t I . C h a l len g e a nd R e s p on s e

Gen. 14 is nonhistorical.10 There are discrepancies in the age of Jacob when he meets the Pharaoh in Egypt—it is recorded in Gen. 47:9 as 130 years old, whereas by chronological reckoning it should be 116.11 Although scholars are divided on particulars, they do form

a broad evidential consensus that these stories could have only *some* basis in fact but are not true down to their particulars.

**Egypt** **and** **the** **Exodus**

The most sensitive of all clashes between scholarly research and the historicity of the Torah is over the story of the Israelite sojourn in Egypt, the exodus, and wandering in the desert. The exodus story has been considered a defining one for Jewish history. And the giving of the Ten Commandments on Mt. Sinai is contextually strongly embedded in the exodus story. There is wide scholarly consensus, but not unanimous, that the exodus story of the Torah has at least some basis in history, but that it does not portray an accurate historical picture. This also applies to the Sinai story, dependent for its details on being embedded in the exodus and sojourn stories.

WilliamDeverhaswritten,“thereisneitherplacenorneedfor anexodusfromEgypt.”12 However,thescholarlyagreementtends to more careful pronouncements. Carol Redmount represents this well when she writes that most of the exodus material was composed or collected long after the events, resulting in revisions that obscured the original stories.13 As a result, “The

10 For a list of dificulties in dating Abraham, see van Seters, *Abraham* *in* *History* *and* *Tradition*, pt. I, esp. 104–122. Van Seters is particularly negative about the Abraham stories.

11 See Babylonian Talmud, “Megillah,” 17a.

12 W. G. Dever, “Is There Any Archaeological Evidence for the Exodus?” in *Exodus:* *The* *Egyptian* *Evidence*, ed. Ernest S. Frerichs and Leonard H. Lesko (Winona Lake, IN: Eisenbrauns, 1997), 67

13 Carol A. Redmount, “Bitter Lives: Israel in and out of Egypt,” in the *Oxford* *History* *of* *the* *Biblical* *World*, ed. Michael D. Coogan (Oxford: Oxford University Press, 1998), 58–89.

C h apt er 1. T he C h a l len g e 37

Exodus saga is neither pure history nor pure literature, but an inseparable amalgam of both. Especially for documents that expressed deeper truths and fundamental values, facts as such were not always valued, consistency was not always a virtue, and specific historical particulars were often irrelevant and therefore variable” (64).

Here are some of the reasons that scholars have given against the historical accuracy of the Egypt-exodus-desert story, many of them recounted by Redmount:

1. The Egyptian setting in the early part of the book of Exodus is quite “generic.” There are no names of kings and little local coloring, which we would expect if the stories were accurate accounts of actual historical events. This includes the absence of the names of the Egyptian rulers and where they resided.

2. Goshen does not appear in Egyptian writings, and Goshen has not been located with certainty.

3. The story requires there to have been 2 to 3 million Israelites plus livestock. Redmount points out that if everyone walked 10 abreast, the line would be 150 miles long. It would take at least nine days just for everyone to pass the starting point on leaving Egypt or on a desert journey. This makes the numbers grossly unrealistic. If we suppose they walked fifty abreast, which is very unlikely in the dificult parts of the terrain of the Sinai desert, the line would be thirty miles long, and it would take at least a few days just to pass the starting point. This would defeat the timelines of a number of biblical narratives.

4. If there were 2 to 3 million Israelites in Egypt, a number of anomalies arise. It could not be that just two midwives cared for all Israelite women, as in Exod. 2. It would be inexplicable as to how the Egyptians were close enough for the Israelites to see or hear them in pursuit at the Sea of Reeds, yet 2 to 3 million Israelites were able to reach the other side of the sea before the Egyptians reached them. The seventy date trees of Exod. 15:27 would hardly have

38 Pa r t I . C h a l len g e a nd R e s p on s e

helped relieve the Israelites’ complaints of lack of food. And if that number were in the desert, Israelites would have crushed the tribal warriors of Amalek rather than struggled to defeat them.

5. Studies of the total population figures in ancient Egypt dif-fer. Karl Butzer, who is considered to have made a thorough study, maintains that the population could have grown to as many as 3 million at its height. Others put it at less than that, and as low as 1 million.14 Accordingly, there could not have been 2 to 3 million Israelites in Egypt— there had to have been far fewer.

6. Archeological studies of the population of Canaan of the relevant time show that the Israelites could not have been resident there in such large numbers as stated in the Torah concerning those who would be entering Canaan (Num. 26).15

7. No archeological evidence can be interpreted to show the presence of Israelites in Egypt, and there is no evidence from that period of Israelite encampments in the desert, including an encampment for thirty-eight years at Kadesh Barnea. There should be remains of pottery, of fires/ cooking grounds, forgotten or broken personal items, massive burial sites, and deposits of animal bone fossils.16

14 For a thorough discussion of the ancient population of Egypt, see Eugen Strouhal, *Life* *of* *the* *Ancient* *Egyptians* (London: Opus, 1992), esp. 134ff.

15 The figures are quite controversial, yet there is a general reasoned consensus for the conclusion stated here. For a minimalist account of the Israelite population of Canaan for the eighth century BCE, see Magen Broshi and Israel Finkelstein, “The Population of Palestine in Iron Age II,” *Bulletin* *of* *the* *American* *Schools* *of* *Oriental* *Research* 287 (1992): 47–60. They estimate the population then to have been no more than 400,000. Broshi claims that at its height at a much later period it was no more than 1 million. See Magen Broshi, “The Population of Western Palestine in the Roman-Byzantine Period,” *Bulletin* *of* *the* *American* *Schools* *of* *Oriental* *Research* 236 (1979): 7.

16 On the subject of desert climates being ideal for fossil preservation, see Steve Parker and Nathaniel Harris, *Atlas* *of* *the* *World’s* *Deserts* (New York: Taylor & Francis, 1993).

C h apt er 1. T he C h a l len g e 39

As opposed to this absence, ample evidence of other small ancient encampments does exist in the Sinai Desert.

8. Egyptian commercial, military, court, and royal records neither refer to the Israelites nor at any point reflect conditions that would have obtained had the Israelites been there in large numbers and had departed, as the Torah relates. Such events would have left Egyptian society militarily, economically, and socially discombobulated. Had the plagues occurred as described in the Torah, the Egyptian economy would have been devastated, and at least a few hundred thousand people (firstborn, for example) would have died. Even if we do not expect Egyptian records to refer to a humiliating defeat, the aftermath of such social and economic dislocations would be reflected in records in both Egypt and its neighbors concerning the economic and military effects. Records are silent.

Here is how Ernest Frerichs states a common scholarly view, among top-tiered participants of a conference on the exodus: “Despite many differences between the perspectives of the conference participants, there is considerable agreement on the dificulties, and for some participants the impossibilities, of using Egyptian evidence to establish the historicity of the Exodus.”17 Along with that, there is evidential consensus that if there had been a sojourn and exodus in the grand dimensions the Bible describes, *by* *now* we would have discovered reasonable evidence of it. But since there is no reasonable evidence to that effect, it is highly unlikely that it happened as the Torah describes.

According to wide general agreement among scholars, if the sojourn and exodus did take place, the number of people involved must have been so small that no trace was likely to be found in the archeological record. Typical here is William Ward, who writes, “There are hints here and there to indicate that something

17 Ernest S. Frerichs, “Introduction,” in Frerichs and Lesko, *Exodus*, 13.

40 Pa r t I . C h a l len g e a nd R e s p on s e

like an exodus could have happened, though on a vastly smaller scale.”18

If there were such small numbers, several passages in the Torah become incomprehensible. For example, Pharaoh could not have been afraid, as in Exod. 1, that the Israelites would become too many and too mighty and pose a military threat to his kingdom. Pharaoh would not have adamantly refused to let go of a small number of Israelites in the face of the plagues, since their economic and social importance would have been too small to want to hold them. Pharaoh himself would not have led a massive army of 600 chariots, as in Exod. 13, against a small band of people when he discovered their escape. Balak would not have been scared of the military might of a small Israelite band. He would not have described them as an ominous horde, as in Num. 22. He would not have needed Balaam to curse them. These events would cease to make historical sense.

The conclusion is that academic research of the sojourn and exodus from Egypt is strongly at odds with the traditional Jewish understanding of the exodus.

**The** **Writing** **of** **the** **Torah**

Whether or not there was ever a revelation to the Israelites does not depend on the story of the book of Exodus, insofar as a group of Israelites could have been in the desert and present at Sinai, even if there was a small exodus or none at all. (Or, there could have been a revelation elsewhere and at a different time.) At most, scholars can debate the details of such an event, but it is hard to see how they could show that there was no historical kernel to the story. Otherwise is the question of the Mosaic authorship of the Torah. If, as scholars widely assert, the sojourn and exodus stories do not reflect actual events to their details, it would be hard to defend Mosaic authorship, at least with respect to large parts of the Torah. We would have to believe that Moses wrote systematically

18 William A. Ward, “Summary and Conclusions,” in Frerichs and Lesko, *Exodus*, 106.

C h apt er 1. T he C h a l len g e 41

erroneous stories or that he willfully wrote falsehoods. Neither of these would advance a good reason for the dogma of Mosaic authorship.

So, according to biblical scholars, who wrote the Torah? Until the final third of the twentieth century it was widely held that the Torah was the result of combining four separate preexisting documents—the Documentary Hypothesis. Carl Graf (1815–69) and Julius Wellhausen (1844–1918) are the fathers of this approach. On this approach, each document reflected different political, religious, and theological interests. The redaction of the four into a single text took place many centuries after events described in the Torah.

I have learned from personal conversations with biblical scholars Yisrael Knohl and Baruch Schwartz that in the twenty-first century the discipline is “stormy” (Knohl) and “chaotic” (Schwartz). There are the Documentary Hypothesis people and Neo-Documentary Hypothesis people. Within these groups are different views on the details. There are followers of Hermann Gunkel (1862–1932), who combined the Documentary Hypothesis with what came to be known as “Form Criticism.” This method traces the literary text back from the written text to discrete oral traditions, which were then combined into a whole. In time, Form Criticism came loose from the Documentary Hypothesis and became independent of it. From there developed focus on “fragments” of stories that were interwoven with connecting material into a whole. This too has contemporary defenders. Again, within each of these views lie differences about details.

There are scholars who believe the Torah is a unified text written more or less at one time. The champions of this approach include Umberto Cassuto, Benno Jacob, and R. N. Whybray.19

19 See Umberto Cassuto, *The* *Documentary* *Hypothesis* *and* *the* *Composition* *of* *the* *Pentateuch* (Jerusalem: Shalem, 2006); Benno Jacob, *The* *First* *Book* *of* *the* *Bible:* *Genesis.* *Interpreted* *by* *Benno* *Jacob*, abridged, ed., and trans. Ernest I. Jacob and Walter Jacob (Jersey City: Ktav, 2007); Benno Jacob, *The* *Second* *Book* *of* *the* *Bible:* *Exodus.* *Interpreted* *by* *Benno* *Jacob*, trans. with introduction by Walter Jacob, in association with Yaakov Elman (Jersey City, NJ: Ktav, 1992); and R. N. Whybray, *The* *Making* *of* *the* *Pentateuch:* *A* *Methodological* *Study* (Shefield: JSOT, 1987).

42 Pa r t I . C h a l len g e a nd R e s p on s e

What is striking is that with all this scholarly disagreement, there is near unanimity that Moses did not write the Torah. Dates for the final form of the Torah tend to converge on the seventh to fifth century BCE. Even scholars who have argued vigorously for a unified text written more or less at one time are almost unanimous that the Torah was composed, at least in its final form, at a much later date than tradition requires. Umberto Cassuto, who argued mightily against the Documentary Hypothesis, thought the Torah dated to the tenth century, while almost all others date it to the seventh to fifth century BCE.

There are a few scholars who think Moses was *involved* in the writing of the Torah, but they do not defend anything like the traditional Mosaic authorship of the entire Torah, or nearly so. An instructive example is Moshe Segal, who among Jewish Bible scholars is close to the tradition on authorship, but even he departs seriously from it. Segal writes concerning the problem of authorship, “The traditional claim of Mosaic authorship should become the basis of a new study of the problem.”20 Even though this looks like agreement with the traditional view, Segal’s understanding departs widely from the tradition:

We say the basis because a critical examination of the contents of the Pentateuch makes it clear that the Mosaic authorship cannot be claimed for the whole of the Pentateuch. Many passages and also long sections are evidently additions belonging to later ages. . . . The authors of the additions . . . honestly believed that their records of oral tradition and also of innovations and changes introduced from time to time had been divinely delivered to Moses at Mt. Sinai. . . . The first and principal task of our investigation should therefore be to separate the material which may be assigned to the Mosaic age from the material which may be assigned to a post-Mosaic age.21

20 Moses H. Segal, *The* *Composition* *of* *the* *Pentateuch* (Jerusalem: n.p., 1961), 25. See also, Moses H. Segal, *The* *Book* *of* *Deuteronomy* (Philadelphia: n.p., 1958).

21 Segal, *Composition*, 25–26.

C h apt er 1. T he C h a l len g e 43

Segal recognizes many sizable non-Mosaic additions to the Torah. Here are some of the more important examples. In Genesis, Segal takes the whole of chapter 36, a genealogical chapter, as having been interpolated into the text no earlier than the age of David and Solomon. Parts of chapter 49, the story of Joseph and the wife of Potiphar, notably verses 13 to 15, are post-Mosaic. The blessing of Jacob, chapter 49, includes conditions prevailing much later.

In Exodus: The plague narrative in its present form, says Segal, is by a post-Mosaic author, even though its contents go back to the Mosaic age; Exod. 12:29–42, including the plague of the first-born, contains mosaic material “expanded and embellished by popular imagination” (38); Exod. 12:43–51 and 13:1–16 concerning the paschal offering and Passover, are “a later appendix.” Exodus 15, the Song of the Sea, is post-Mosaic; chapter 16, telling of the manna, is post-Mosaic. Regarding chapters 25–31 (and Lev. 8–10), the tabernacle narrative, Segal will say only that “this great story of the tabernacle must have had a basis in reality” (43). Segal believes the text is not Mosaic and not historically accurate.

In Leviticus, Segal recognizes various elements of post-Mosaic legislation. And, Lev. 7:1–38, dealing with the offerings of the princes, is “a late *Aggadah*” [“homiletical story”] (60).

In Numbers, Segal sees the story of the spies, chapters 12–13, as containing “numerous and large additions” (65). The whole passage of legislation in Num. 15 is post-Mosaic, as is the story of the Sabbath breaker in that chapter. The story of Korah, in chapter 16, may belong to the Mosaic age, perhaps to Moses himself, Segal avers, but may possibly have been influenced by later scribes (65). The story in Num. 31 of the Midianite women is not Mosaic, but it is possibly dependent on mosaic traditions.

Deuteronomy “contains a fair amount of material which is certainly not Mosaic” (95). This includes the opening heading, Deut. 1:1–5. There are many insertions in chapters 2 and 3. And there may be additions to legislation in Deut. 16:21 to 17:1.

These are just some of the important places where Segal denies Mosaic authorship of parts of the Torah text. In addition, there are numerous half verses Segal sees as having been added at a later age to Mosaic material.

44 Pa r t I . C h a l len g e a nd R e s p on s e

There is some precedent in Jewish traditional sources for small additions to the Torah after Moses. Most famously, Rabbi Abraham ibn Ezra (1092–1164) thought a cluster of verses were post-Mosaic, and Yehuda He-Hasid (b. 1217) held that the Great Assembly had made some additions to and subtractions from the Mosaic texts.22 However, no traditional authority ever countenanced that Moses did not write the Torah at all or that vast amounts of the Torah text were non-Mosaic.

If the Torah was written centuries after the time Moses was supposed to have lived, or even if we followed Segal, who posits many post-Mosaic additions to the Torah, then the historical dependability of the Torah is seriously compromised. The longer it took for the Torah to be put into its final form, the greater the opportunity for embellishments and misunderstandings, or so the argument goes.

The challenge to Torah as history in this chapter is that there is evidence agreed upon by virtually all scholars, that, to one degree or another, the Torah does not reflect history as it actually happened. This is not suficient, however, even if we accept that, for us to conclude that nothing happened and that there is no historical kernel to what is written. But this is no comfort to the traditional way of relating to the Torah narratives as true accounts of historical happenings.

22 Traditionalists, for sundry reasons, sometimes deny this. For a rejection of the authenticity of the Yehuda He-Hasid position, see R. Moshe Feinstein, *Iggerot* *Moshe,* *Yoreh* *Deah* III, no. 114 (New York: Gras & Frier, 1959).

**Chapter** **2**

**fa** **I** **T** **h-re** **sPonse** **s**

By a “faith-response” to the challenge to Torah as history I mean a response that enlists faith in the historical accuracy of the Torah in rejecting the challenge to that faith. We can distinguish two kinds of faith responses: the “Hard Faith-Response,” and the “Soft Faith-Response.”

**The** **Hard** **Faith-Response**

The Hard Faith-Response, as I am using the term, is simply *dismissive* of the relevant scholarly claims. It declares that the conclusions of the scholars are not compelling because inconsistent with faith in the historical accuracy of the Torah. Everything surrounding the Torah involves exceptional supernatural doings. The scientific findings, which do not recognize that, simply must—somehow—be wrong. There must be alternative explanations to what has been discovered that preserve the historical veracity of the Torah. This includes prominently the possibility of miracles, which makes everything turn out right. Whether or not we now have such an explanation, or even if we never will know of such an explanation, the advocate of the Hard Faith-Response is certain that there is one. Here is how the Bible scholar James Kugel puts this kind of response:

When religious Jews are faced with a “problem” in the text of *Tanakh* they assume that there is a reasonable explanation. Even when we are unsuccessful in finding an answer we assume that, nevertheless, the Torah is Divine and perfect, and that one day an answer will be found. On the other hand, an academic who does not accept the Torah as Divine and perfect will look

46 Pa r t I . C h a l len g e a nd R e s p on s e

at the same “problem” and will likely conclude that the text is flawed.1

Similarly, the Christian philosopher Alvin Plantinga argues, regarding the historical integrity of the Gospels, that it is quite acceptable to invoke one’s faith as a counter to critics.2 This includes the acceptability of a rejection of biblical criticism of the Christian testament.3 That is because the Christian believer has a different basis for judging than do scholars who use only empirical historical evidence. Plantinga points out two naturalist variants in standard biblical criticism. In one, it is denied that the Bible has any divine, supernatural dimension. For this, Plantinga quotes Rudolf Bultmann: “The historical method includes the presupposition that history is a unity in the sense of a closed continuum of effects in which individual events are connected by the succession of cause and effect. This continuum, furthermore, cannot be rent by the interference of supernatural, transcendent powers.”4 Plantinga comments: “This applies equally to scripture scholarship: one who employs the historical method Bultmann is endorsing will not think of the Bible as in any way specially inspired by God.”5

1 James Kugel, *How* *to* *Read* *the* *Bible:* *A* *Guide* *to* *Scripture* *Then* *and* *Now* (New York: The Free Press, 2007), 15.

2 Alvin Plantinga, *Where* *the* *Conflict* *Really* *Lies:* *Science,* *Religion,* *and* *Naturalism* (Oxford: Oxford University Press, 2011), chaps. 5 and 6. This approach has been adopted and expanded by the evangelical theologian, Thomas McCall, “Religious Epistemology, Theological Interpretation of Scripture, and Critical Bible Scholarship: A Theologian’s Reflections,” in *Do* *Historical* *Matters* *Matter* *to* *Faith?* *A* *Critical* *Appraisal* *of* *Modern* *and* *Postmodern* *Approaches* *to* *Scripture*, eds. James K. Hoffmeier and Dennis R. Magary (Wheaton, IL: Crossway, 2012), 33–54.

3 Some Christians in Bible criticism challenge this. See, for example, a Catholic defense of biblical criticism by Joseph Fitzmyer, “Historical Criticism: Its Role in Biblical Interpretation and Church Life,” *Theological* *Studies* 50 (1989): 244–59.

4 Quoted by Plantinga, *Where* *the* *Conflict* *Really* *Lies*, 158–159, taken from Rudolf Bultmann, *Existence* *and* *Faith*, ed. Schubert Ogden (New York: Meridian, 1960), 291–92.

5 Plantinga, *Where* *the* *Conflict* *Really* *Lies*, 159.

C h apt er 2 . Fa it h - R e s p on s e s 47

The second method does not *deny* that there is a supernatural dimension in the Bible, but it only insists that the discipline of Bible scholarship not include *recognition*of such a dimension. Rather, Bible critics are to use only evidence acceptable to everyone involved. Jon Levenson describes this view when he writes: “Historical critics thus rightly insist that the tribunal before which interpretations are argued cannot be confessional or “dogmatic,” the arguments offered must be historically valid, able, that is, to compel the assent of *historians* whatever their religion or lack thereof, whatever their backgrounds, spiritual experiences, or personal beliefs, and without privileging any claim of revelation.”6

The Hard Faith-Response rejects both the denial and methodologically ignoring of the supernatural nature of the Torah. It will have little to do with a reinterpretation in light of scholarly findings. It has faith that God gave the Torah and wanted it to be understood as historically accurate throughout. The scholarly conclusions are simply wrong.

Now, many people will say that the Hard Faith-Response is irrational or otherwise intellectually defective. Solomon Schimmel, for example, writes of the belief that God gave the Torah to Moses and that includes, for him, a belief that the Torah is historically true. He calls this view alternatively “unreasonable,” “implausible,” and “irrational.”7 So he clearly rejects the legitimacy of our Hard Faith-Response. Schimmel sets out to try to understand why people aware of the relevant scholarship continue to have such an unreasonable belief, and he turns to psychological explanations for that.

Of course, one can simply define being “rational” so that it simply means “to accept scientific conclusions.” But then to say “It is irrational not to accept the conclusions of science,” would mean no more than “Not to accept the conclusions of science is not to

6 Ibid., 155. The original source is Jon Levenson, “The Hebrew Bible, the Old Testament, and Historical Criticism,” in *The* *Hebrew* *Bible,* *the* *Old* *Testament,* *and* *Historical* *Criticism:* *Jews* *and* *Christians* *in* *Biblical* *Studies*, ed. Jon Levenson (Louisville, KY: Westminster John Knox, 1993), 109.

7 See Solomon Schimmel, *The* *Tenacity* *of* *Unreasonable* *Beliefs:* *Fundamentalism* *and* *the* *Fear* *of* *Truth* (Oxford: Oxford University Press, 2008), esp. chap. 3.

48 Pa r t I . C h a l len g e a nd R e s p on s e

accept the conclusions of science.” This is hardly a reason for always accepting the conclusions of science.

It is supposed to be intellectually bad to be irrational. So, one might want to say that people who otherwise follow scientific conclusions wherever they lead, such as in chemistry or medicine, are irrational, because inconsistent, if they summon the Hard Faith-Response here against their normal policy. However, there need be no intellectual inconsistency, since the principle such people are acting on need not be simply “to accept the conclusions of science wherever they lead” but “to accept the conclusions of science wherever they lead *except* when contradicting my deepest religious beliefs.” It is a matter of precedence rather than inconsistency.

The “sad” fact is that rationality *underdetermines* what one’s set of epistemically valid criteria is to be. Robert Nozick has rightly observed: “Philosophers traditionally have sought to formulate rules for rational belief. . . . They seek rules with an appealing face, which recommend themselves to reason by their content and also yield the inferences and beliefs we are most confident of.”8 The point is that initial attractiveness of both rules *and* beliefs is to be taken into account when aiming for acceptable epistemic criteria for rational belief. Nozick continues to point out that discordance can arise between the attractiveness of candidates for rational rules and the confidence “we” have in “our” most cherished beliefs. Rules that help preserve “our” most cherished beliefs may themselves not be so highly convincing on their face. And rules for proceeding rationally that appear most attractive on their face may fail to preserve “our” most confident beliefs, or may lead to their rejection. When that happens, we have to reach an epistemic equilibrium between the intrinsic plausibility of the rules and the degree to which “we” are confident about “our” beliefs. In the end, a rule may be so strongly convincing on its face that it will overweigh the lesser impressiveness of a favored belief. And the opposite can also

8 Robert Nozick, *The* *Nature* *of* *Rationality* (Princeton, NJ: Princeton University Press, 1993), 75.

C h apt er 2 . Fa it h - R e s p on s e s 49

happen: some beliefs may be so dear as to override a rule with less plausibility.

To illustrate, consider how two philosophers differed about how to weigh up the attractiveness of rules against the attractiveness of the same initial beliefs. David Hume was more impressed by his rules for rational enquiry than he was by his belief that physical objects exist. So Hume urged his favorite rules for rational enquiry to the point of ending up with no rational justification at all for his belief in an external world.9 G. E. Moore, on the other hand, in his “Proof of an External World,” contended that his belief in the existence of his own hands, belonging to an external world, had greater epistemic weight than any rules of reasoning that would deny him that conviction.10 So, Moore argued, we should reject all rules of reasoning that would yield the wrong results, namely, that Moore did not know he had two hands. Both Hume and Moore were rational, no doubt. It is just that they differed on what weights to give to their starting beliefs, as opposed to rules of inquiry. So, I repeat, the very concept of rationality underdetermines what our final set of epistemic criteria is going to be. At best, rationality can piously direct us to find the “best” equilibrium between principles and beliefs. Rationality fails to dictate just what that equilibrium will be, however.

Since rationality is thus partially beholden from the start to what are “our” cherished beliefs, the very concept of rationality *underdetermines* the outcome, since what are “our” beliefs can vary in accordance with who “we” are. “We” will sometimes be Ortho-dox Jews for whom the historical literalness of the Torah is a very cherished belief. The concept of rationality does not give much guidance on how to balance favored beliefs and favored rules.

In any case, the issues here are complex, including whether one needs “evidence” for one’s religious beliefs, when and to what degree

9 David Hume, *A* *Treatise* *of* *Human* *Nature* (Oxford: Clarendon, 1938), pt. 4, secs. 1 and 2, 180ff.

10 George Edward Moore, “Proof of an External World,” in *Philosophical* *Papers*, ed. George Edward Moore (New York: Collier, 1966), 127–48.

50 Pa r t I . C h a l len g e a nd R e s p on s e

a person is justified in maintaining a belief against counterevidence, and what is the epistemological status of “framework propositions,” propositions that determine a comprehensive frame of reference, of which religious beliefs can be an example. Here is not the place to enter into such a thicket of philosophical issues.

I urge you to agree that the Hard Faith-Response could be acceptable under certain circumstances. A basic requirement should be that one’s religious faith in the historical accuracy of the Torah profoundly anchors the way one experiences and understands life and the world. One’s faith in the historical accuracy of the Torah must be part of the basic *framework* in which all of one’s deliberation and action take place, determining the weight one gives to one’s initial Torah-tied beliefs versus rules of reasoning.11

Alas, my intended readers are not in a position to summon the Hard Faith-Response. I am interested in those Jews who are like the Mormon Hans Mattsson, a former senior oficial in the Mormon church. Mattsson left his position in the church mainly because he became convinced that the Book of Mormon was historically unreliable at a number of crucial points. He concluded that he could no longer represent the Mormon church. Poignantly, he continues to want to stay in the faith, nevertheless.12 Mattson represents those who accept modern historical criticism of a sacred text because they have become convinced that the historical evidence against the historicity of the text is stronger than the reasons they have for accepting the text as the tradition teaches it. And Mattson represents those who nevertheless want to hold onto their faith in some way. I write for the Jewish Mattssons who deny or doubt the historical veracity of the Torah yet find themselves possessing or desiring to maintain or acquire faith in traditional Judaism. Such people may *profess* faith in the historical veracity of the Torah because they *want*

11 On the flip side, I once had an atheist philosophy professor who told me that if I could prove to him that God existed from the premise that “1 + 1 = 2,” he would then deny that 1 + 1 = 2, rather than accept that God existed.

12 Laurie Goodstein, *The* *New* *York* *Times*, July 20, 2013, accessed July 21, 2013, http://www.nytimes.com/2013/07/21/us/some-mormons-search-the-web-and-find-doubt.html?nl=todaysheadlines&emc=edit\_th\_20130721&\_r=0.

C h apt er 2 . Fa it h - R e s p on s e s 51

to believe in the historical veracity of the Torah, seeing no other way forward. So, they proclaim faith not as a true report of their present spiritual state but as a statement of their determination to stay within a traditional framework.

I am interested also in those who insincerely invoke faith against the historical evidence. I mean people who hide behind faith in order to squirm out of a tight spot but who otherwise do not seem to possess the degree or kind of enveloping faith necessary to make that reply warranted. They do not seem to live their life with a religious passion approaching anything like the fervor and certainty with which they declare their faith when denying the scholarly conclusions. A plausible inference is that such people are registering a degree of faith they do not really have. Such people need to face the obligation of intellectual and religious honesty to assess whether they are holding their position in a sincere way. So, I write also for those who might outwardly proclaim a strong faith-based response to the issues of this book, yet who, surreptitiously, will avidly search this book for a sustainable alternative.

**The** **Soft** **Faith-Response**

The Soft Faith-Response, like the Hard Faith-Response, depends on faith in the historical truth of the Torah. But, unlike the Hard, a Soft Faith-Response does not simply dismiss scholarship from afar. A Soft Response attempts to demonstrate to the faithful how evidence of scholarship should be interpreted in light of the fact that the Torah is historically accurate. The Hard Faith-Response dismisses scholarship with one wave of the hand. The Soft Faith-Response addresses scholarship directly by explaining how matters would be had scholars only had the proper faith in place. The hope is to weaken scholarship in the eyes of the faithful suficiently until it is no longer credible.

From the point of view of the Soft Faith-Response, for example, exclusively sociopolitical explanations are reductionist. Since God has created us for a relationship with the divine, sociopolitical explanations must be supplemented by explanations in terms of an inherent, human religious impulse, representing various stages

52 Pa r t I . C h a l len g e a nd R e s p on s e

of responses to God, whether conscious or subliminal. Religious consciousness is to be taken to be at least as basic to human flourishing as are social, political, and economic concerns. This is a theistic version of the theme of *homo* *religiosus*.

A paradigmatic example of one kind of Soft Faith-Response is the brilliant model of Rabbi Mordechai Breuer for dealing with the challenge to the Mosaic authorship of the Torah.13 Breuer is not always so clear about this, but his settled personal position seems to be that Moses wrote the Torah at God’s dictation.14 His is a Soft Faith-Response in defense of the historical accuracy of the belief that Moses wrote the Torah. That is because Breuer does not dismiss scholarship, but he rather aims to show how the scholarly findings can be framed to be friendly when faith is assumed. Breuer defends against the Documentary Hypothesis, namely, that the Torah is a composite from four independent documents written at different times and coming from different groups. Breuer sees the “inferior” scholarly position as having supposed axiomatically that the Torah is of human authorship. The “superior” traditional concept differs by seeing God as the author of the Torah.15 What appear to the Bible critic to be independent documents is really a unified text containing multiple expressions of different attributes of God, chiefly, judgment and mercy. In this way, Breuer does away with inconsistencies in the text. Each side of an inconsistency portrays how things would be if they were determined solely by one or another of God’s attributes, while what actually happened is a synthesis between the two, as recorded in the Torah. In large, there are multiple divine voices at work in the Torah that correspond to

13 Breuer has extensively elaborated his theory in several books, principally Mordechai Breuer, *Pirqe* *Bereshit*, 2 vols. (Alon Shvut: Tevunot, 1998) (Hebrew), and *Pirqe* *Miqraot* (Alon Shvut: Tevunot, 2009) (Hebrew).

14 In my discussion of Breuer, I have been greatly helped by having read Shnayer Z. Leiman, “Response to Rabbi Breuer,” in *Modern* *Scholarship* *in* *the* *Study* *of* *Torah:* *Contributions* *and* *Limitations*, ed. Shalom Carmy (Lanham, MD: Jason Aaronson, 1996), 181–87.

15 Mordechai Breuer, “The Study of Bible and the Primacy of the Fear of Heaven: Compatibility or Contradiction?” in ibid., 173.

C h apt er 2 . Fa it h - R e s p on s e s 53

the documents J, E, P, and D of the Documentary Hypothesis. This result mimics the way the Documentary Hypothesis looks at the Torah, yet the inconsistencies, the doublets, and the like, belong to a unitary work committed to writing by Moses and reflect different aspects of God’s nature and of the complex truths that God wanted to express in the Torah.

Breuer says this about his approach:

God, who is beyond the limitations of time and space, prepared the Torah, declaring in one utterance what man can comprehend only as a combination of differing sources. Before the world was created, God redacted one document characterized by justice and one characterized by mercy, and synthesized them with a quality of harmony. After a thousand generations this Torah . . . descended to earth. Moses, the faithful shepherd, was summoned to the upper realm, and brought it down to the terrestrial sphere.16

Here is how Shalom Carmy aptly summarizes the approach:

The wisdom God would bestow on us cannot be disclosed in a straightforward manner. The Torah therefore resorts to a tech-nique of multivocal communication. Each strand in the text, standing on its own, reveals one aspect of the truth, and each aspect of the truth appears to contradict the other accounts. An insensitive reader, noticing the tension between the versions, imagines himself assaulted by a cacophony of conflicting voices. The perceptive student, however, experiences the magnificent counter-point in all its power. 17

One drawback to this approach, pointed out by Shnayer Leiman, is that it follows the fault lines of the purported documents of the Documentary Hypothesis. Those scholars who reject the way the classic Documentary Hypothesis distinguishes texts will also reject this view.18 It leaves the Mosaic authorship vulnerable

16 Ibid., 170–71.

17 Shalom Carmy, “Introducing Rabbi Breuer,” in Carmy, *Modern* *Scholarship*, 148–49.

18 See Leiman, “Response to Rabbi Breuer,” 183–84.

54 Pa r t I . C h a l len g e a nd R e s p on s e

to other theories about the composition of the Torah. It would be unfortunate to tie our understanding of the Torah to a specific critical method that might not win out in the end.

My main problem here, though, is that no Soft Faith-Response defense of the Mosaic authorship of the Torah can be persuasive without also addressing *directly* the challenge to Torah as history. Breuer’s method deals ingeniously with internal historical inconsistencies. For example, he says that the two stories of creation in Gen. 1 and 2, respectively, are not actual descriptions, but they depict how God would have created the world had God created the world with the attribute of judgment alone or with mercy alone, respectively. But God in fact created the world with a combination of the two, which is indicated in the Torah. Similarly, Breuer sees two stories of the Flood, neither of which was the way the event actually happened, but the synthesis of two is what really happened. And so on for scores of cases.

Yet, Breuer leaves the fundamental historical dificulties untouched. If there were no flood as the Torah describes it, or no Noah as he appears, then no version of the Flood story, synthesis or not, will be true. Most importantly, if the stay in Egypt, the exodus story, and the desert story are unacceptable in their details, then no smooth defense of traditional Mosaic authorship on other grounds could succeed. The Faith-Responder would have to suppose that Moses wrote a series of untruths about events through which Moses himself had lived. Any defense of Mosaic authorship that does not address the questions of the historical accuracy of the Torah stories cannot stand alone. One either has to address the Challenge or at some point invoke a Hard Faith-Response that simply dismisses the Challenge—leaving us wondering why the Hard Faith-Response would not be invoked already for Mosaic authorship itself—in either case this Soft Faith-Response cannot stand on its own.19

19 As an aside by an amateur onlooker, in going through some of Breuer’s work, such as the first volume of his book on Genesis and some of his articles, I was not able to find reference to the following sort of problem, though he may have addressed them elsewhere. I wonder about the many *trivial* historical inconsistencies in the Torah, such as with names. These are not plausibly

C h apt er 2 . Fa it h - R e s p on s e s 55

A second, more prevalent form of the Soft Faith-Response is when people cite traditional rabbinic and later commentaries to show that the scholarly problems were solved long ago and do not arise in the first place. For example, there is the problem of the multiple names of the father-in-law of Moses. Bible critics explain this by saying the Torah combines different traditions about the name. I am not interested now whether or not this is a good explanation. Rather, I am interested in those who would appeal to the commentary of Rashi (1040–1105) on Exod. 18:1, quoting a midrash in the *Michiltah*, which offers homiletic explanations, and thus the reason, for each of the multiple names. Then they would assert that this midrashic source proves the problem to be ephemeral. This sort of response could be acceptable only to one who takes midrashic material about history to be necessarily true, either because handed down since Moses or asserted by a special spiritual gift for knowledge of the past, or the like. It will not succeed for those, like me and my intended readers, who, on the contrary, take the midrash in question to be recognizing the multiplicity of names as a problem and then trying to set out to resolve it by homiletic means. Or, the midrash will not work for one who takes it to be no more than an instant where the rabbis employed homiletic tools to teach a good lesson, meaning no more than that. Although, without doubt, at some points traditional

attributable to different theological or other large-scale perspectives. Consider inconsistencies between the genealogical lists of Gen. 4 and 5, respectively. The father of Lemach is listed as Methusael and then Metuselah. Early on in Gen. 4, the line from Adam to Noah goes through Enoch. In Gen. 5, in the corresponding generation, it goes instead through Enosh. Later on Basmath appears twice as the wife of Esau, once as the daughter of Elon the Hittite (Gen. 26:34) and again as the daughter of Ishmael (Gen. 36:2–3). There is a discrepancy in the names and number of the sons of Gad, between Gen. 46:16 and Num. 26:15–17. Moses’s father-in-law appears under three different names: Reuel (Exod. 2:18), Jethro (Exod. 18:1), and Hovav (Num. 10:29). There is a discrepancy in the number of the sons of Asher between Gen. 46:17 and Num. 26:44. It is hard to see that different theological points of view or attributes of God can be behind these minute discrepancies and others of this kind in the Torah. If this approach is to succeed, it must deal with apparently many trivial discrepancies that challenge the historical accuracy of the Torah.

56 Pa r t I . C h a l len g e a nd R e s p on s e

commentaries will be preferable to modern ones, it is dificult to see siding with homiletic presentations in a wholesale way.

Nevertheless, a traditional religious person should have sympathy for the principal idea of the Soft Faith-Response and its understanding of history. Religious people do not have to accept everything that scholarship proposes and the religious impulse planted in us by God and its revelatory potentials surely have to be reckoned with. However, as a response to the scholarly challenge, once one has been convinced by the Challenge, the Soft Faith-Response has severe limitations. It might, for example, help weaken some theories of biblical criticism that depend too heavily on political, sociological, and tribal interest explanations. It might also neutralize some scholarly historical claims by reference to plausible traditional commentators. But the Soft Faith-Response does not appear to have what it takes to make a serious dent in the scholarly conclusions. It is hard to imagine that the Soft Faith-Response can overturn the presumed hard facts about the ancient world and about history. It cannot square the Torah account of the invention of various tools with the considerable evidence of the gradual development of tools. It cannot square the details of the Flood story with the realities of geology and evolutionary science. It cannot change the population figures of ancient Egypt, which are too small to fit the Torah narratives. It cannot explain the absence of evidence that should be there on the ground and in ancient documents for the stay in Egypt and the travels in the desert. Are we to say that God miraculously destroyed all the evidence out there? Maybe, to test our faith? Are we to say that God purposely planted the anachronisms found in the Torah? Maybe, to test our faith? Are we to say that for some reason God managed the findings to show there having been only a small inclusive population of the Israelite mini-villages in the Canaanite hills, as opposed to the millions there should have been according to the Torah? This may appeal to some, but it will not appeal to many others.

The Hard Faith-Response can serve those who can declare it with sincerity, speaking out of the fundamental framework of their thinking. But for purposes of this book, I set that response aside. The Soft Faith-Response might be able to record selected victories

C h apt er 2 . Fa it h - R e s p on s e s 57

over the Challenge, but it does not seem suitable to weaken the Challenge suficiently to upend it. It remains to examine apologetics and a counterproof, neither of which is supposed to enlist faith to protect the historical integrity of the Torah.

**Chapter** **3** **aPologe** **T** **ICs**

We have seen that the mainline evidence-based scholarly view about the events related in the Torah is that some of them, at least, are likely historical at the basics, but not as elaborated in the Torah. In particular, the exodus story is thought to have only some basis in historical truth. In addition, there is a minority of scholars that denies a historical basis to almost any story in the Torah. In sum, the broad scholarly understanding of the Torah challenges to a substantial degree the traditional Jewish belief in the historical correctness of the Torah. I have argued that the Hard Faith-Response can be invoked to solve the Challenge, but is not available to the intended audience of this book. Also, though I sympathize with the principles of the Soft Faith-Response, I argued that it could not neutralize the Challenge.

In this chapter, I examine popular apologetic responses within the Orthodox Jewish community, which responses argue against this scholarly conclusion in connection, especially, with the stay in Egypt, the exodus, and Mosaic authorship of the Torah. These responses are not to be understood as enlisting faith, as do the Hard Faith-Response and the Soft Faith-Response, but they purport to meet the Challenge entirely on scholarly grounds alone. The intention is to meet the skeptics on their own ground without invoking faith. I call these responses “apologetics” without thereby meaning to disparage them from the start in any way. Rather, I use the term “apologetics” as it is commonly used in Christianity to denote a respectable, serious, defense of the faith. Nevertheless, I do contend that none of these responses, alone or together, make a serious impression on the case of the Challenge.

C h apt er 3. a p olog et ic s 59

One form of apologetic rejoinder is to cite a few scholars, who often turn out to be Christian evangelicals, who disagree with the general evidential conclusion among scholars about Torah as history. They are enlisted to validate the claim that these few scholars have “proven” or “shown*”* the wider consensus to be wrong about the historical validity of the Torah. The traditional view has nothing to be worried about then, allegedly, since the opposing scholarship has been “refuted.”

One problem with this rejoinder is that generally the apologists who employ it are not in a position to judge whether the scholars they cite have indeed *succeeded* in proving their views, or even whether their argument is to be seriously considered from a scholarly point of view. These apologists are looking in from the outside and picking and choosing whom they will decide to trust. If they mean to justify this trust on faith, that is one thing. But if they mean to show that scholarship vindicates their faith, then their endeavor is not convincing.

An example of this form of apologetics is the invoking of William Foxwell Albright, the great archeologist, who supported the essential historical correctness of the Bible on the patriarchs and the exodus story. (I have heard this defense orally on a number of occasions but have not seen it written.) Albright thought he could chronologically place the patriarchs within a historical context. Unfortunately, even though Albright is still held in high esteem, his views have been superseded by later evidence.1 Since I am not a scholar in this area, I am not at all in a position to say whether Albright was right after all, but his theories have been superseded in the discipline. But that is not the point. The point is that neither are people who are eager to refer to him as proving their traditional Jewish position. Without employing a faith-response, this apologetic

1 For a detailed discussion of the decline of Albright’s views, see Thomas W. Davis, *Shifting* *Sands:* *The* *Rise* *and* *Fall* *of* *Biblical* *Archaeology* (New York: Oxford University Press, 2004), esp. chap. 4. For an overview of Albright in historical perspective, see William G. Dever, “What Remains of the House That Albright Built?” *Biblical* *Archaeologist* 56 (1993): 25–35.

60 Pa r t I . C h a l len g e a nd R e s p on s e

move fails. If it does employ faith, then it does not belong to my category of apologetics.

A second, and big, problem with the apologetic rejoinder is that the scholars people cite in favor of the tradition never (well, as far as I can see, never) agree with the tradition.2 I want to give some samples of such mistaken appeals to scholars on behalf of the traditional view.

Consider the following from the website of an Orthodox yeshiva against the Documentary Hypothesis and in favor of the traditional view of Mosaic authorship:

Later Bible scholars such as Robert Alter and R. N. Whybray held that the text was more a unified whole than not. Alter in particular expressed remorse that these earlier critics did not take the classical Jewish approach more seriously. . . . To anyone who is open to re-examining their assumptions and interested in gaining a more solidified understanding of the complexities and beauty involved, please consider reading “The Documentary Hypothesis” by Umberto Cassuto and “The Art of Biblical Narrative” by Robert Alter.3

This response leaves much to be desired. True, both Whybray and Cassuto reject the Documentary Hypothesis in its classic form, yet neither of them believes Moses wrote the Torah. I have already pointed out that Cassuto thought the Torah was written in the tenth century BCE. Whybray believed there was one author, but maintains that the Torah did not get its final form until the sixth century BCE. The author of the Torah, holds Whybray, used earlier oral and written traditions, some as is, others modified or excerpted, and the author also invented material. Whybray avers that it is “well established that a large part of the narratives are

2 This also applies to Albright, who endorsed only the “essential” historical correctness of the Torah. He did not afirm the historicity of the many details of the stories. This falls short of the traditional approach.

3 Rabbi Adam Jacobs, “Why You Do Not Understand the Bible,” accessed October 30, 2013, http://www.aish.com/sp/ph/Why\_You\_Dont\_Understand\_ the\_Bible.html.

C h apt er 3. a p olog et ic s 61

fiction: the Joseph story—Genesis 37–50, Genesis 24, Exodus 32, Numbers 16.”4

Alter too does not believe in the Mosaic authorship of the Torah. Rather, for Alter the author used “inherited” material in a subtle literary way to create a unified text. This material included earlier documents, combined together.5 For Alter, “The Five Books is a work assembled by many hands, reflecting several different viewpoints, and representing literary activity that spanned several centuries.”6 Alter believes the Torah was finally edited and “fashioned into a single book” in the sixth century BCE.7

Where Alter differs from others is in his giving more credit to the redactor for having weaved the various sources into deliberate, cohesive narratives, at least as so conceived at the time. Alter takes the “classic Jewish approach more seriously” only in seeing the final edited product as more of a literary unit than have supporters of the Documentary Hypothesis. No more than that. None of these cited scholars offers solace to the tradition of Mosaic authorship of the Torah. The citing of them on behalf of the tradition is a sign either of ignorance or of deception.

Herschel Shanks, a Jewish scholar, James Hoffmeier, and Kenneth Kitchen, the latter two evangelical Christians, are three scholars that traditionalists sometimes trot out to show either (1) that there are scholars who have *proven* the tradition to be true, or (2) that there are enough scholars who agree with the tradition to show that there exists no broad evidence-based consensus against the tradition.8 Another scholar enlisted in traditional defenses is

4 R. N. Whybray, *The* *Making* *of* *the* *Pentateuch:* *A* *Methodological* *Study* (Shefield: JSOT, 1987).

5 See Robert Alter, *The* *Art* *of* *Biblical* *Narrative* (New York: Basic, 1981), 32 et passim.

6 Robert Alter, *The* *Five* *Books* *of* *Moses:* *A* *Translation* *and* *Commentary* (New York: W. W. Norton, 2004), xvi.

7 Ibid., “Introduction,” esp. xii.

8 See Lawrence H. Schiffman, “Has the Exodus Really Been Disproven?” accessed August 1, 2013, http://www.dovidgottlieb.com/comments/Exodus. htm.

62 Pa r t I . C h a l len g e a nd R e s p on s e

David Rohl, who is not a religious person.9 I note to begin with that one cannot depend on *both* Kitchen *and* Rohl, since there is massive disagreement between them on Egyptian chronology.10 They cannot both be right. But my main point is that none of these researchers can be used to support the traditional view of the historical reliability of the Torah.

Shanks true enough defends the exodus story as history, but not in a form that validates the historical reliability of the Torah that would satisfy the tradition. In an article summarizing his position on the subject, Shanks endorses only a very loose fit between the Torah narrative and actual historical fact. Shanks aims only to reject “minimalism,” which he defines as saying that “the Bible is worthless as a source of history for the periods it describes.” He does not defend the historical record of the Egypt and exodus stories except to say, “Who would invent a history of their people as slaves, if there were not *some* truth in it?” (my emphasis). Shanks provides the following antitraditional observations:

All modern critical scholars recognize that the Bible is a human composition (although this does not exclude the possibility that it is also inspired). Its purpose is primarily theological, not historical. (History cannot deal with miracles, for example.) And it is tendentious; it exaggerates to make a point. It often speaks metaphorically when it appears to a modern mind to be speaking factually. And, of course, given the fact that it is a human document, it can also be inaccurate.

And:

We don’t need Professor Herzog to tell us that 2 million Israelites did not cross the Sinai on their way out of Egypt, despite the biblical implication as to this number (Exodus 12:37).

And:

9 See Dovid Gottlieb, “Living Up to the Truth: The Controversy,” accessed July 17, 2014, http://ohr.edu/explore\_judaism/living\_up\_to\_the\_truth/the\_ controversy/1011.

10 See D. Rohl on K. Kitchen, accessed July 17, 2014, http://www.newchronology. org/fullt/107.txt.

C h apt er 3. a p olog et ic s 63

The fact that many groups accreted and became part of Israel does not detract from the fact that some, whose story became the national story, came from Egypt where they had been enslaved.

Shanks’s conclusion: “An element of ancient Israel came out of Egypt. For all that, however, we must learn to live with uncertainty.” Shanks is not one to employ in support of the biblical exodus story as it appears in the Torah.11

James Hoffmeier, an evangelical Egyptologist, has written two books to defend no more than the *consistency* between the archeological record and what he calls “the Exodus Tradition” and the “Wilderness Tradition” found in the Bible.12 He does not argue so much for positive evidence for the truth of the story as he argues that there is no good reason to *deny* either tradition. For example, he maintains forcefully, against others, that the lack of archeological evidence of the Israelites in the desert is not verification of their not having been there. That’s because we cannot expect there to have been extensive findings. There would be no pottery shards, for example, because desert travelers used leather containers instead of pottery for their journeys. (He does not address the thirty-eight years of stationary dwelling in Kadesh Barnea.) Another example: Hoffmeier argues that there is no inconsistency between the alleged two names of the mountain, Sinai and Horeb, where the theophany occurred. That is because the former is the name of the mountain, the latter the area where the mountain is located. (He considers the reference to Mt. Horeb at Exod. 33:6 an unexplained exception.)

Hoffmeier is closer to the view of traditional Judaism than are most others, but he cannot be cited to support the more important components of the traditional view of the historical veracity of the

11 All quotations are from *Haaretz* *Magazine*, November 5, 1999.

12 James K. Hoffmeier, *Israel* *in* *Egypt:* *The* *Evidence* *for* *the* *Authenticity* *of* *the* *Exodus* *Tradition* (Oxford: Oxford University Press, 1997), and James K. Hoffmeier, *Ancient* *Israel* *in* *Sinai:* *The* *Evidence* *for* *the* *Authenticity* *of* *the* *Wilderness* *Tradition* (Oxford: Oxford University Press, 2005).

64 Pa r t I . C h a l len g e a nd R e s p on s e

Torah. Some of these he clearly rejects. Hoffmeier endorses only what for him are “main points” of the stories.13 No more.

The number of Israelites in the exodus story is not one of those main points. Hoffmeier rejects the traditional numbering of the Israelites who left Egypt, which figures out to 2 to 3 million people.14 He maintains that the entire population of Egypt at the time was only about 3.5 million.15 So, there could not have been anything close to 2 to 3 million Israelites. Excavations there do not show such a number of Israelites to be possible. Furthermore, according to Hoffmeier, had so many people entered into Canaan from the desert journey, the archeological record would have to show it, but it doesn’t. In any case, the number of a few million does not square with several other details of the biblical story. To Hoffmeier, there is “little doubt that the number of individuals would have been in the thousands, maybe a few tens of thousands.”16

Also, although Hoffmeier does hold that Moses played a “cru-cial role” in the “recording” of the Torah, this is far from maintain-ing that Moses wrote the Torah as we have it. In fact, Hoffmeier does not agree that Moses was the “sole author” of the Pentateuch.17 For example, following J. P. Hyatt, Hoffmeier agrees that “the ethical Decalogue [the Ten Commandments], in a brief and suc-cinct form, *could* have originated with Moses. There is nothing in the Ten Commandments which could not have originated with Moses” (emphasis in original).18 What Hoffmeier is referring to here is the alleged brief form of the Decalogue that Hyatt presents as follows:19

13 Hoffmeier, *Israel* *in* *Egypt*, 226.

14 Hoffmeier, *Ancient* *Israel* *in* *Sinai*, 153–55.

15 Based on Karl Butzer, *Early* *Hydraulic* *Civilization* *in* *Egypt*(Chicago: University of Chicago Press, 1976), 76–77.

16 Hoffmeier, *Israel* *in* *Egypt*, 159. 17 Ibid., 225.

18 Hoffmeier, *Ancient* *Israel* *in* *Sinai*, 181.

19 J. P Hyatt, “Moses and the Ethical Decalogue,” *Encounter* 26 (1965): 199–206.

C h apt er 3. a p olog et ic s 65

Since I am Yahweh thy God who brought thee out of the land of Egypt,

1. Thou shalt have no other gods beside me.

2. Thou shalt not make for thyself a graven image.

3. Thou shalt not invoke the name of Yahweh thy God in vain. 4. Remember [or observe] the Sabbath day to sanctify it.

5. Honor thy father and thy mother. 6. Thou shalt not commit murder. 7. Thou shalt not commit adultery. 8. Thou shalt not steal.

9. Thou shalt not bear false witness against thy neighbor. 10. Thou shalt not covet.

That this was the original wording implies a serious accretion onto the Decalogue after the time of Moses, onto what Hyatt calls “the original form.” This dovetails with Hyatt’s declaration that “modern study of the Pentateuch has made it quite clear that most of the laws contained in it did not originate with Moses. They developed over a long period of time, and originated when they were needed in the course of the cultural growth of the people of Israel.” Now, I am not insisting that Hoffmeier must agree with everything Hyatt writes. But Hoffmeier’s agreeing with Hyatt saying that “Moses *may* in fact have been the author of that body of material which we customarily call the Ten Commandments” (my emphasis) gives only weak support to a pillar of traditional Judaism.

Hoffmeier endorses what he calls “the practice of later editorial glossing or updating geographical terms” in the Pentateuch and elsewhere.20 In addition to add-ons to the Ten Commandments, later emendations include Exod. 15:14 with reference to the Philistines.21 He gives the following as some further examples:22 Gen. 14:2, 3, 7, 8, 17, dealing with the king of Sodom; Gen. 33:36, with regard to Kadesh and Edom; and Deut. 2:10–12, 20–23, regarding a host

20 Hoffmeier, *Israel* *in* *Egypt*, 216n24. 21 Ibid., 202.

22 Ibid., 216n24.

66 Pa r t I . C h a l len g e a nd R e s p on s e

of names. There is certainly a traditional precedent for isolated additions to the Torah, but Hoffmeier’s views do not promise optimism for the traditional view of the writing of the Torah.

Kitchen has written a massive and most impressive volume arguing that the stories of the Pentateuch fit well with the cultural conditions in the times they are supposed to have taken place.23 Kitchen’s aim is not to prove *true*the stories of the Torah but to show that there is no reason to deny their having a “definite historical basis” (312). Yet, Kitchen, one of the more conservative scholars, departs in serious ways from the traditional Jewish view of the history of the Torah. Kitchen maintains that about only 20,000 Israelites left Egypt in the exodus. Kitchen does not believe that Moses wrote the Torah as we have it. First of all, there were passages written by Moses’s scribe or written after the death of Moses (304). Second, and more damaging, Kitchen writes that Exodus, Leviticus, and Deuteronomy “could not have been written in classical, standard biblical Hebrew as we know it in the present-day Hebrew Bible” (304). Instead, Kitchen asserts that in the two centuries that followed Moses, “standard Hebrew” evolved out of its Canaanite version and that “copies of older works such as Deuteronomy and Joshua would be recopied, modernizing outdated grammatical forms and spellings” (305). That is not all. Later scribes also changed place names. These include the name “Dan” in Gen. 14:14 and the several references to Philistine territory in Genesis and Exodus (340). The idea is that in the original texts these places were identified by names with which later readers would not be familiar. Hence, scribes substituted names for the same places with which the readers would be familiar. When these stories were written, there was no place called “Dan” and no Philistines in the area.

If, as Kitchen maintains, later scribes did update the Torah to suit their times, how can Kitchen guarantee that they did not also make substantive changes, additions, or deletions from the text? Once we acknowledge that to the scribes the text was not

23 K. A. Kitchen, *On* *the* *Reliability* *of* *the* *Old* *Testament* (Grand Rapids, MI: Eerdmans, 2003).

C h apt er 3. a p olog et ic s 67

inviolable, we have no good reason to think scribes updated *only* Hebrew language and style and place names. There is every reason to think otherwise. In addition, how can Kitchen guarantee that the scribes were not mistaken in understanding some old words and structures, which were outdated, or mistaken in identifying the places they thought corresponded to their contemporary names? How can Kitchen know that scribes *later* than the two centuries after Moses, of which he writes, did not make further changes, not being familiar any more with the original Torah setting and so moving us even further from the original? He cannot. If we follow Kitchen, the historical details of the Torah become vulnerable to mistrust.

That the Torah we have is a thoroughly revised version of an earlier Torah is strongly at odds with the Jewish tradition. The tradition depends on the reliability of the text as given to Moses, at most with very limited exceptions. Kitchen is not one to showcase as supporting Jewish tradition.

Finally, though Rohl’s chronology of ancient Egypt may be friendly to the Torah account, it is hardly accepted by Egyptologists, including, as I have already noted, some evangelicals. In any case, Rohl has views at essential odds with the tradition. He writes: “*All* ancient documents are written by humans, and therefore embody the beliefs, aspirations and traditions of a particular culture. They are also, of course, susceptible to errors of fact, political bias, economy of truth and miscopying.”24 End of argument.

What I have written here of Shanks, Hoffmeier, Kitchen, and Rohl also holds for other comparatively conservative researchers. There are many differences among scholars as to the details of Israelite history and differences as to the manner in which the Torah came to be. With all that, experts endorsing the historicity of the Torah to an extent required by traditional Judaism are few indeed. There is a broad consensus that the biblical stories cannot be relied on for giving detailed, historically true accounts. The same holds for the rejection of Mosaic authorship of the Torah. Those who uphold

24 David Rohl, *Pharaohs* *and* *Kings:* *A* *Biblical* *Quest* (New York: Random House, 1996), 38; emphasis in original.

68 Pa r t I . C h a l len g e a nd R e s p on s e

the general scholarly position include Christians of all stripes, Jews, including observant Jews, agnostics, and atheists. This is hardly a group to charge with colluding together for a predetermined shared agenda. The most a proponent of this apologetic response can say is that there are *some* scholars who hold positions closer to the tradition than most. This is not enough to undermine the reasons for lack of ramified historical accuracy in the Torah.

Finally, there is the type of apologetic that argues for the accuracy of the Torah stories because they match facts on the ground. I illustrate here with two examples in order to explain the shortcomings that I find in this approach.

Rabbi Leibel Reznick, displaying knowledge of both the archeo-logical and talmudic literature, defends the accuracy of the Torah story of Sodom and Gomorrah.25 Here is his summary of the case:

To summarize, the archaeology evidence as to the destruction of the five Cities of the Plain is inconclusive. However, the preponderance of other evidence with regards to the Torah’s story of Sodom and Gomorrah is overwhelming.

1. **The** **Bible** **refers** **to** **a** **metropolis** **of** **five** **cities** **in** **the** **Dead** **Sea** **area.**

Five, and only five cities, have been found in the Dead Sea area. 2. **The** **Bible** **refers** **to** **a** **conquest** **by** **the** **Mesopotamians.**

The artifacts found in the Dead Sea area show a Mesopotamian influence.

3. **The** **Midrash** **describes** **the** **metropolis** **as** **a** **thriving** **popula-tion.**

The enormous number of burials in the large cemeteries attests to a great population.

4. **The** **Talmud** **and** **the** **Midrash** **describe** **the** **area** **as** **an** **agricul-tural** **wonderland.**

The great diversity of agricultural products found in the ruins verify (!) the lush produce enjoyed by the area’s inhabitants.

5. **According** **to** **the** **Talmud,** **there** **was** **a** **span** **of** **only** **26** **years** **between** **a** **war** **in** **the** **area** **and** **the** **ultimate** **destruction.** Devastation levels found in Numeira (Sodom) are consistent with the Talmud’s assertion.

25 L. Reznick, “Biblical Archeology: Sodom and Gomorrah,” Aish.com, accessed July 23, 2015, http://www.aish.com/ci/sam/48931527.html.

C h apt er 3. a p olog et ic s 69

6. **The** **Talmud** **states** **that** **Sodom,** **unlike** **other** **cities** **in** **the** **area,** **only** **existed** **for** **52** **years.**

The ruins in Numeira (Sodom) indicate that the city lasted less than 100 years.

7. **The** **Bible** **attributes** **the** **destruction** **of** **the** **cities** **to** **a** **fiery** **storm** **that** **rained** **down** **from** **above.**

Thick layers of burnt material covering the remains of the cities in the area bear this out.

After reviewing all of the archaeological data, it is quite clear that the story related in the Torah and Midrash is completely accurate in spite of what the non-believers may boldly claim.

The accuracy of the archeological claims made here is irrelevant to my present point. What interests me now is the inference to the conclusion that “the story related in the Torah and Midrash is *completely* accurate” (my emphasis). This can be understood in more than one way. One way is to interpret that sentence as saying that there is no reason to reject the story on the basis of its allegedly not fitting archeological findings. The story fits *completely* the archeological record available to us. That is an acceptable claim, if the facts are right.

But if the sentence is meant to say more than that, namely, that the Torah story has now been shown to be *completely* true, to all its details, then more is being said than is justified. And that is because the archeological evidence, supposing it to be what Reznick says above, does not relate to a number of important details of the Torah story. The story of Sodom and Gomorrah attributes the destruction to the evil of the inhabitants and also claims all the inhabitants were killed (save for four people). The archeological findings are consistent with the inhabitants of those cities being no more evil than anybody else. That evidence can go with some or even most inhabitants having escaped from the inferno. When they saw it coming, as it started, they ran for their lives to live another day. Also, the Torah connects the destruction of Sodom and Gomorrah to the story about Abraham and Lot, which cannot be read off of the archeological facts.

Indeed, Rabbi Reznick acknowledges a discrepancy between the Torah chronology and the archeological dating, the latter

70 Pa r t I . C h a l len g e a nd R e s p on s e

placing the findings 600 years earlier. If so, one could counter this apologetic move by claiming, for example, that the Torah story is an etiological story, invented several hundred years after the fact, to explain the observed condition of the area. It explained the ash found in the region by inventing a moralized story and connecting it to Abraham, at a much later time than when the ashes came to exist. I do not believe that is what happened, but my point is that the story fitting the archeological evidence does not yet show the story to be “completely” true, per se, and certainly not to its details. At most, such argumentation counts as negative apologetics, for which, of course, there is an important place. But it is consistent with the accretion of central nonhistorical elements onto what was a correct base. I suspect that at times this kind of apologetics intentionally plays on the ambiguity between saying that a biblical story is *completely* accurate to the known archeological findings and saying it is *completely* accurate, in toto, thus “proving” the Torah right.

Second example: The “familiarity with Egypt” argument, concerning the stories taking place in Egypt, which has popularity among evangelicals in particular. Here is how Joseph Holden and Norman Geisler put it:

This extensive familiarity with Egypt in the book of Exodus, rather than with Babylonia, thus supports the belief that the writer could have been an eyewitness of the Exodus and the plagues, not an individual far-removed from the actual events. The critical scholars who postulate anonymous Jewish authors of the Pentateuch say that they allegedly wrote or compiled the book of Exodus in exile in Babylonia a thousand years after the Exodus—a very great distance in space and time from Egypt in the second millennium B.C.26

A Jewish website presents this similar argument, by Joshua Berman, as follows: “Many details of the exodus story do strikingly appear to reflect the realities of late-second-millennium Egypt, the period

26 Joseph M. Holden and Norman Geisler, *The* *Popular* *Handbook* *of* *Archaeology* *and* *the* *Bible:* *Discoveries* *that* *Confirm* *the* *Reliability* *of* *Scripture* (Eugene, OR: Harvest House, 2013), 231.

C h apt er 3. a p olog et ic s 71

when the exodus would most likely have taken place—*and* they are the sorts of details that a scribe living centuries later and inventing the story afresh would have been unlikely to know.”27 The gist of the argument is that since in the Egypt stories the Torah displays intimate knowledge of the Egypt of the time, it is most or more reasonable to believe the text was written by a person who was there in Egypt at the time, rather than by a person much later, who would not be expected to have that same intimate knowledge.

I should note that, as I wrote in Chapter 1, one of the points raised against this story is the generic Egyptian setting, not including, for example, the names of the Egyptian rulers or where they resided. This will weaken the claim of intimate knowledge of the setting. But the real trouble with this argument is that it assumes that if the stories were written at a later time, an author must have sat down and “invented” the stories “afresh.” If so, we have a problem how that person could have known so much about the Egypt of long ago when never having been there. This argument is fallacious. Bible scholars of almost all stripes will contradict the assumption that at a later time the stories were “invented afresh.” They are generally agreed that the Torah got its final form from shaping and embellishing, copying, consulting, and committing to writing previous old documents, previous old fragments, and/or previous old oral stories that were around and that contained versions of stories set in long ago Egypt. There would be no problem, then, for a later author to have knowledge about ancient Egypt, even if had he not been there at the time of the setting of the stories and invented some stories and embellished others.

Second, this apologetic supposes that if a text shows intimate knowledge of Egypt of the time, then the person who wrote it must surely have been there at that time. This ignores many alternative possibilities—including that the Egyptian coloring was borrowed from other stories whose origin was from Egypt of that earlier time and inserted as background for the Torah stories, or that the story

27 See Joshua Berman, “Was There an Exodus,” *Mosaic* *Magazine*, March 2, 2015, accessed July 22, 2015, http://mosaicmagazine.com/essay/2015/03/was-there-an-exodus/.

72 Pa r t I . C h a l len g e a nd R e s p on s e

we have is constructed from an ancient story that took place in Egypt that was only a core of the Torah story. In either case, nothing follows about the detailed reliability of the text before us today.

I conclude that these popular apologetic responses I have surveyed here, which to my mind represent the genre, do not have what it takes to weaken the modern critical charge of the historical unreliability of the Torah. Since each one fails, they do not seem to have enough even if taken together to upset the Challenge. To borrow a metaphor from one philosopher, one leaking bucket cannot be helped to carry the water very far by carrying a few more leaking buckets for the task. It would be better to invoke faith and be done with it.

**Chapter** **4**

**a** **Cou** **nT** **e** **r** **Proof**

“The Kuzari Argument” takes its name from the *Kuzari*, written by R. Judah Halevi. It purports to *prove* that there was a revelation at Mt. Sinai in the way the Torah reports it, and likewise for other spectacular events reported in the Torah, such as the exodus from Egypt.1

The Kuzari Argument depends crucially on the “Kuzari Principle” (KP), which is presented in alternative formulations. I will examine one formulation, but my comments with regard to it apply equally to other formulations:

KP: Suppose a person, A, invents a story about a national unforgettable and tries to convince another person, B, that it happened. Suppose further that B and his nation do not remember the event, and A gives no explanation why the event would not be remembered. Then B will not believe the story.

In KP, a “national unforgettable” is an event “so rare and so important in the history of the nation, it would surely be recorded and remembered” for the ages.2 KP says that if a given person and the nation does *not* remember the national unforgettable and is given no explanation for why it does not remember it, then that person will surely not be persuaded to believe the event had really happened. After all, if it happened, “I would surely have known

1 The argument is presented by Dovid Gottlieb, accessed July 22, 2014, http://www.dovidgottlieb.com/works/RabbiGottliebLivingUpToTheTruth. pdf.

2 Ibid.

74 Pa r t I . C h a l len g e a nd R e s p on s e

about it.” In KP, the condition should be that the nation is not given a *good* explanation, or a *convincing* explanation, for why they do not remember the event. So, I reword KP accordingly:

KP: Suppose a person, A, invents a story about a national unforgettable and tries to convince another person, B, that it happened. Suppose further that B and his nation do not remember the event, and A gives B no convincing explanation why the event would not be remembered. Then B will not believe the story.

KP is then applied to the Sinai event as follows:

This story describes an event that has never happened to anyone else, anywhere. No other nation even claims that its religion started with a public revelation. This story describes an event that would be absolutely unique in all human history. The fire, the shaking earth, and hearing the voice of G-d together are sure to make a deep impression. And the story says that the rules commanded by the voice became the foundation of a new religion. Such an event would radically change the life of the whole nation—its values, attitudes, perceptions, national organization, and priorities. It would profoundly transform daily life. Surely there would be many records and memories of such an event. This is the story of a national unforgettable.

Since it is a national unforgettable, it is not a story that can be made up. A deceiver will not succeed with a story like this. He will not succeed because the people whom he is trying to deceive will say, “If our ancestors really witnessed an event like that, our whole national life would show it. There would be holidays to celebrate the event, records of what the voice said, and a history of national decisions implementing the new rules. This is not the sort of event which a whole nation would forget.”

Of course, if the deceiver can explain how such an event could be forgotten, then perhaps his story may be believed. *But* *here* *it* *will* *be* *extremely* *dificult* *to* *imagine* *such* *an* *explanation.* *What* *could* *cause* *a* *whole* *nation* *to* *forget* *a* *revelation* *that* *created* *their* *national* *religion?* So the conclusion in this case will be absolute.

The conclusion:

Suppose a nation believes that its ancestors experienced a national revelation. Since such a story cannot be invented, *we* *have* *good* *reason* *to* *accept* *the* *story* *as* *true*. For, if it were not true, it would not be believed!

C h apt er 4 . a C ou nt er pr o of 75

In sum, the Jews believe that their ancestors experienced a national unforgettable (God’s revelation to them) at Sinai. By the KP, it follows that the ancestors must have experienced it in the way present Jews believe it to have happened.

In response, I note that the Torah, thousands of years ago, described an event of outstanding vividness and extraordinary meaning, that is, of a spectacular founding event to which, reportedly, all Israelites were witness. Intuitively, this counts as evidence that *something* significant and memorable happened back then. But this intuition counts for only a little in the challenge to Torah as history. The Kuzari Argument, for its part, fails to improve very much on that intuition. The argument, even if sound, fails to establish its conclusion, *all* *evidence* *considered*; fails, even if sound, to establish the historical correctness of many of the Torah narratives; and fails to establish at all that if something did happen at Sinai it was a divine revelation. Hence, as a proof against the challenge to Torah as history the Kuzari Argument is not very effective.

First, the Kuzari Argument in favor is consistent with our having other evidence *against*its conclusion, evidence overweighing the Kuzari Argument. Such evidence could then force the *overall* conclusion that the Sinai story in all likelihood did *not* happen at all, or did not happen according to the recorded details of the story. If that were to be the case, the conclusion of the Kuzari Argument would be overruled.

Consider this: My being an analytic philosopher, together with the fact that the vast majority of analytic philosophers are not Jewish, makes it highly probable that I am not Jewish. But it would be a mistake to think that *proves* I am not Jewish. Only with respect *to* *that* *particular* *evidence* is it probable I am not Jewish. For that to be a *proof*, it would also have to be the case that in your *total* evidence there was no counterevidence that outweighed this evidence. But, of course, those that know me have massive counterevidence that I am Jewish, which overweighs the argument about analytic philosophers not being Jewish. This is true even though *by* *itself* the argument about analytic philosophers does make it highly probable that I am not Jewish.

76 Pa r t I . C h a l len g e a nd R e s p on s e

Just so, the Kuzari Argument could be correct *as* *far* *as* *the* *evidence* *it* *cites* is concerned, yet then be overthrown by counterevidence. And, of course, there is much alleged counterevidence to the story of Sinai, at least in the detailed way the Bible tells it. That claimed evidence is multifaceted—from history, archeology, Bible studies, and linguistics. If the Kuzari Argument wants to convince us, it must either seriously discredit the scholarly counterevidence in detail or else convince us that the probability on the Kuzari Argument *for* the detailed revelation is so very high that the scholarly evidence could not possibly defeat it. And, most importantly, it must do so without invoking faith at any point, if the Kuzari Argument is to be a proof of faith. The first has not been effectively carried out in detail to be convincing, and the second seems not to be the case at all. As matters stand, therefore, the Kuzari Argument does not yet seriously challenge the alleged counterevidence to the Sinai story as recorded.

Indeed, something analogous and seemingly just as strong as the Kuzari Principle is a principle that historical skeptics implicitly use precisely *against* the historical truth of the exodus and Sinai narratives. It goes something like this, call it the “Evidence Principle” (“EP”):

Let E be a possible event that, had it really occurred, should have left behind an imposing body of supporting material evidence that would have come to the surface after extended massive efforts to find it. If little evidence does surface, then probably E never occurred.

Historical skeptics argue that had the stories of the stay in Egypt, the sojourn in the desert, and occupation of the land of Canaan been true as the Bible reports, by now scholarly research should have come up with far more evidence than has been found. That does not mean that there will never be such evidence, but based on that fact, the reasoning goes, people now should abstain from believing that the exodus and Sinai stories are true as recorded. This argument seems on an evidential par with the Kuzari Argument.

If the Kuzari Argument is to succeed, its advocates must be able systematically to neutralize this counterargument. They have to

C h apt er 4 . a C ou nt er pr o of 77

give plausible reasons across a wide range of issues why researchers should not have expected to find evidence researchers have failed to find. Until then, the argument fails to be convincing.3

Furthermore, even were the Kuzari Argument to be convincing concerning Sinai, it gives no reason for accepting the veracity of a great number of *unspectacular* narrative details and of the rarely applied laws of the Torah. These are not national unforgettables. Genealogies and etymologies in the Bible could have been added at a later time, along with such details as the names of Esau’s wives, place-names where Abraham wandered, how many days a plague lasted, how many died and in what manner here and there, what were the exact numbers of each tribe, and so on for many other small details. The populace would not be in a position to claim that had those details been true, they would have known about them.

Also, laws with rare application could have been invented and slipped into the Bible. Ordinary folk would not have had a basis for protesting to the intellectual and scribal authorities, for example, that had these things been in the original Torah, they would have been aware of them, but are not. To think otherwise would be to suppose that the general population of the Israelites always was thoroughly familiar with the small details of the Torah. This is doubtful, without invoking faith motivated beliefs. Scholars debate

3 I want to point out that the Kuzari Argument by itself does not give a person reason to think that Judaism is the true religion or that a Jew should observe the Jewish religion. After all, since the defeat of the Marcion heresy (second century CE) Christians have believed in the Sinai revelation as part of their religion. So a person could be convinced by the Kuzari Argument and yet be a Christian. The argument does not favor one faith over another, since both faiths embrace the biblical account of the Sinai events. If the Kuzari Argument is to be a defense of Judaism in today’s world, its advocates seriously have to address important contemporary defenses of Christianity by such people as Richard Swinburne and William Craig. It is not enough to point out dificulties with Christianity, here and there. To my knowledge, this has yet to be done in a satisfactory way; see Richard Swinburne, *Was* *Jesus* *God?* (Oxford: Oxford University Press, 2010), and Richard Swinburne, *The* *Resurrection* *of* *God* *Incarnate* (Oxford: Oxford University Press, 2003); William Lane Craig, *Assessing* *the* *New* *Testament* *Evidence* *for* *the* *Historicity* *of* *the* *Resurrection* *of* *Jesus* (New York: Mellen, 1983), and William Lane Craig, *Reasonable* *Faith:* *Christian* *Truth* *and* *Apologetics*, 3rd ed. (Wheaton, IL: Crossway, 2008).

78 Pa r t I . C h a l len g e a nd R e s p on s e

the extent of literacy among ancient Israelites. There are those who think literacy was well established only at a period much later than the events of the Pentateuch.4 Others rank literacy as low as under 5 percent of the population or even as low as 1 percent.5 Oral memory is limited when dealing with large amounts of material and with scrolls held only by the authorities. In the absence of a non-question-begging reason to think otherwise, the vulnerability of the text at several places to historical unreliability remains a real possibility as far as the Kuzari Argument goes. This is at odds with the traditional view of the historical veracity of the Torah. Of course, one could appeal to tradition and its portrayal of the high level of the populace in response. That, however, would be to forfeit the proof force of the Kuzari Argument.

I move on now to objections to the Kuzari Argument, namely, that there was an actual *revelation*, either at Sinai or elsewhere. It is not my intention to argue that the Sinai story is not true, in whole or in part. Rather, my sole purpose is to illustrate the weakness of the Kuzari Argument. The Kuzari Argument does not succeed in *proving* the Sinai story to be true as depicted in the Torah.

If the Kuzari Argument works for a Sinai revelation, it also works for the historical veracity of the Lotus Sutra of Mahayana Buddhism. The Lotus Sutra is the most revered and influential text of Mahayana Buddhism. It is not just another one of the sutras but is the central definite text for them. It has broadly shaped the religious lives of hundreds of millions of devotees over the centuries that have read it, chanted it, and tried to live up to its teachings. Scholars debate exactly when it was written and provide a range of 100 BCE to 100 CE, this being several hundred years after the death of the Buddha.

4 See Amichai Mazar, *Archaeology* *of* *the* *Land* *of* *the* *Bible* *(ca.* *10000–586* *B.C.E.)* (New York: Doubleday, 1990), 515, and Gabriel Barkay, “The Iron-Age II-III,” in *The* *Archaeology* *of* *Ancient* *Israel*, ed. Amnon Ben-Tor (New Haven, CT: Yale University Press, 1992), 349.

5 See Douglas A. Knight, *Law,* *Power,* *and* *Justice* *in* *Ancient* *Israel* (Louisville, KY: Westminster John Knox, 2011), 93–95, and Susan Niditch, *Oral* *World* *and* *Written* *Word,* *Ancient* *Israelite* *Literature* (Louisville, KY: Westminster, 1996), chap. 3, who details the many impediments to literacy in the ancient world.

C h apt er 4 . a C ou nt er pr o of 79

Mahayana tradition teaches that the Lotus Sutra was written at the time of the Buddha, then hidden away for hundreds of years and brought to light only after that. For close to two thousand years, Mahayana devotees have believed that the treatise reports actual words and deeds of the Buddha on an auspicious occasion. What the Lotus Sutra relates is that the Buddha sat before a vast audience made up of people from many geographical areas of India. There were eighty thousand enlightened ones, the king of the devas accompanied by 20,000 people, a long list of names of holy ones, *each* surrounded by several hundreds of thousands of attendants.6

Four kings of the Kamaras were each attended by hundreds of thousands of people. There were four kings of the Kiṃaras, whose names were Dharma, Sudharma, Mahādharma, and Dharmadhara, and each had several hundreds of thousands of attendants. The four kings of the Gandharvas were there. They were Manojña, Manojñasvara, Madhura, and Madhurasvara, each of them also with several hundreds of thousands of attendants. There were also four kings of the Asuras, called Baḍin, Kharaskandha, Vemacitra, and Rahu, each with several hundreds of thousands of attendants. Mahātejas, Mahākāya, Mahāpūrṇa, and Maharddhiprāpta, the four kings of the Garuḍas, were there together with several hundreds of thousands of attendants each. Finally, King Ajātaśatru, Vaidehī’s son, was there with several hundreds of thousands of his attendants. In short, there were millions of people in attendance, including those of great religious and political importance and influence.

Here are some of the things that happened there: The Buddha made flowers rain down from the sky on all those in attendance. The entire world quaked. This was so unprecedented that all were filled with joy. Then the Buddha emitted a ray of light from the tuft of white hair between his eyebrows. The light illuminated all the eighteen thousand worlds in the east, down as far as the lowest hell, Avīci, and up as high as the Akaniṣṭha heaven. All the sentient

6 See all of this at http://www.bdkamerica.org/digital/dbet\_t0262\_ lotussutra\_2007.pdf, p. 4, accessed June 12, 2014.

80 Pa r t I . C h a l len g e a nd R e s p on s e

beings in those worlds living in the six transmigratory states became visible from this world. The Buddhas in those worlds were also seen, and the Dharma they were teaching could be heard.

And so it goes. All of this was said to take place before the attendants who had gathered. The events recounted in this sutra are of such a spectacular magnitude as to make the Sinai story quite unimpressive by comparison. No other religion has ever made claims to miraculous cosmic events of such a grandiose degree. In addition, the amount of detail, with names of so many important people, competes very well with the details of the biblical story. Surely, these are longtime “religion unforgettables,” allegedly wit-nessed by millions.

How could *any* Buddhists have come to believe these things ever happened if they really didn’t? And Mahayana Buddhists *have* believed it for ages. If these events *had* happened, surely Buddhists, who revel in telling stories about their founder, would have heard about them long before the Lotus Sutra was ever made known again. When the Lotus Sutra was rediscovered, if people had not known about it already, they would never have believed a word of it. Vast numbers of Buddhists would not have believed the historical truth of this text without a very good explanation for why they had never heard of its contents, if true. No such explanation has been recorded, and it is hard to see what would be such an explanation.

If the Kuzari Argument works for the Sinai revelation, it works for the Lotus Sutra. The Kuzari Argument counts seriously in favor of the truth of the sutra, if we accept the Kuzari Principle. The Lotus Sutra argument cannot simply be dismissed.

The Kuzari Argument advocates might think to retort that the counterevidence to the Lotus Sutra on the scientific grounds of physics and biology is so massive as to defeat whatever strength its truth gains from the Kuzari Argument. I fail to see how this counter could be valid, though, given the substance of the Kuzari Argument. That is because the more outlandish the story of the Lotus Sutra, the more improbable it is that masses of people would have believed it had it not really happened. Hence, that they *did* believe it only gives *more* strength to its truth.

C h apt er 4 . a C ou nt er pr o of 81

Since we who are grossly skeptical about the Lotus Sutra appear to be within our rights to be so, there simply must be *something* wrong with the Kuzari Argument if it yields such a result.

In the following objections to the Kuzari Argument I portray a number of scenarios. I do not advance any of these scenarios as actual alternatives to the Sinai story as it appears in the Bible. Rather, I claim that there is nothing absurd, stupid, or implausible in thinking that something like them could have happened.

Also, in what follows, please note that a good explanation for the lack of memory by people of an event does not have to be convincing to *us* as contemporary, sophisticated, and knowledgeable folk. It need be convincing only to the relevant people about whom we are applying the Kuzari Principle. We must not assume that what would not convince *us* would not have convinced others in some distant past. Also, note that a convincing explanation does not even have to be true! It only has to have been *convincing* to those who had to be convinced. Also note that at the start the “whole nation” might be no more than a small number of people. As we will see, there are ways that a small group can grow to become a large number of people with a false “national unforgettable.”

The Kuzari Argument incorrectly makes the implicit assumption that if a national unforgettable did not happen, claiming it happened would have to clash with absence of memory of it. However, an invented national unforgettable does not have to clash with memory issues at all. Consider this scenario: A small band of people, one thousand, say, escapes slavery in a foreign land led by a very charismatic and spiritually gifted leader. On the way to their homeland, their leader, from sincere, good intentions, and from a deep belief in God, inspires in the band a deeply moving spiritual experience and tells them, sincerely, but mistakenly, that it was God appearing to them. He tells them what God said, and this becomes the foundation of their religious culture.

Or, the leader takes advantage of a severe electrical storm for the same purpose. The electrical display morphs into a supposed theophany. Or, the leader, sincerely believing it to be God’s will, stages a supposed revelation by God by having hidden accomplices set fires and bang drums and cymbals up on a mountain. In fact, such

82 Pa r t I . C h a l len g e a nd R e s p on s e

a script has been proposed in the past. In the fourteenth century, R. Nissim of Marseille was one of the naturalizing philosophers of the Middle Ages. He furnishes a naturalistic interpretation for all supernatural events in the Torah. In his *Maase* *Nissim*, he tells us that the heavenly voice heard at Sinai was the amplification of Moses’s own voice, the result of Moses using a natural amplifying instrument that was up on the mountain.7 The people were convinced it was God speaking.

Or, the leader has every one of the people take a hallucinogenic drug derivable from trees in the surrounding geographic locality. He then guides them through a “divine revelation” where they see fire, feel the mountain shaking, and think they hear God speaking to them, even if they cannot quite make out what God is saying. Afterward, their leader tells them what God said.

In all cases, the people are so impressed and/or so scared out of their minds that the band of people is totally convinced God has revealed to them commandments. They now are eager to tell the “good news” to their few thousand brothers and sisters who had never left the homeland. They arrive back at home and the story is accepted. Or imagine that the leader, who by now is revered beyond words, decides, from a pure and lofty motivation, that because those at home did not share in the actual experience, those who did must retell it in such a way that will convince the others that God had been revealed to the band in the desert. They embellish the story to impress their kin of the momentousness of the occasion. When arriving home, the leader tells the embellished story to the rest of the people there, who number a few thousand. The content of the laws that are part of the story become the religion.

In all these cases, nobody would ask why he or she did not *remember* the revelational event. There would be nothing to have remembered! The story is eagerly and joyfully believed, made to apply to the whole “nation”—God has made a revelation to *us*!

7 For R. Nissim, see Haim Kreisel, “Philosophical Interpretations of the Bible,” in *Cambridge* *History* *of* *Jewish* *Philosophy:* *From* *Antiquity* *through* *the* *Seventeenth* *Century*, ed. S. Nadler and T. M. Rudavsky (Cambridge: Cambridge University Press, 2008), 88–120.

C h apt er 4 . a C ou nt er pr o of 83

Great celebration! It becomes a “national unforgettable.” In time, the tribe grows naturally and outsiders join the group and are swallowed up into the native ethos. The story becomes entrenched for the centuries for a nation eventually numbering a few million.

As for outsiders being swallowed up into the native ethos, just let me remind you that for ages converts to Judaism have become absorbed into the Jewish national ethos, praying to the “God of our fathers” and celebrating God taking “us” out of Egypt. Eventually, their descendants are indistinguishable from native Jews, who believe that their ancestors stood at Sinai and received the Ten Commandments. This includes fairly large groups, such as Khazar converts, reputedly, whose descendants today have no idea of their Khazar roots and who believe their biological ancestors stood at Sinai.

Contrary to the implicit assumption of the Kuzari Argument, a national unforgettable has been invented with no issue of memory being at all relevant. Undoubtedly, more hypothetical cases can be cooked up where memory problems do not intrude. Since the burden of proof is on the Kuzari Argument, to avoid this objection it has to show that such scenarios *cannot* occur or that at least the occurrence of such scenarios is significantly implausible.

That the story could have been embellished over time from small numbers of people at Sinai to a few million raises the question in my mind whether the repetitive use of the terms “a *whole* nation” and “an *entire* nation” in the Kuzari Argument might illicitly sneak in the idea that a very great number of people would have experienced the Sinai event. This would implicitly turn us in the direction of the 2 to 3 million of the traditional story of Sinai. However, any such hidden assumption would be begging the question outright. We are to make no assumption about what the numbers were, big or small, when an unforgettable was first launched.

In fact, people can be brought to believe an invented national unforgettable even when they could have had memory of it, but don’t. Suppose a nation, again starting out as a small tribe (and is thus “the entire nation”!), lives at a time before a critical historical sense was well developed and relevant. For an example, we have

84 Pa r t I . C h a l len g e a nd R e s p on s e

good reason to think that in the far past there were people who could be persuaded to believe things for reasons having little or nothing to do with truth. Carol Redmount writes of ancient times in the Near East: “Especially for documents that expressed deeper truths and fundamental values, facts as such were not always valued, consistency was not always a virtue, and specific historical particulars were often irrelevant and therefore variable.”8

Let us suppose the nation under examination is strongly swayed by what authority says, by deeply held values, and also by fear, superstition, and wishful thinking. Here are some possible scenarios where such people could well accept a totally invented national unforgettable as their own without having remembered it from before.

Scenario One. This tribe is weighed down with great suffering and misery. They are at the point of despondent psychological collapse. Suddenly, a revered leader tells them that a long time ago God chose this very tribe as his chosen people and that this occurred in a spectacular theophany that convinced their ancestors. He further tells them that many customs they have already were actually originally laws that God had commanded them.

The tribe excitedly embraces this story out of deep wishful thinking and a hope for a glorious future. They *make* themselves believe it. This would be similar to the state of mind of the Israelites dancing around the golden calf *they* *have* *just* *now* *crafted* in the desert, pointing to it and exclaiming, “This is your God, Israel, who took you out of the land of Egypt.” They were *making* themselves believe it.

Back to our story. The people repress any questions about the validity of the report, if such should even rise, for the sake of making themselves believe it. The tribal adults tell the magnificent, inspiring story to their children, raising everybody’s spirits and giving glorious meaning to their future lives. Then social pressure kicks in to influence the few holdouts and rigidly fixes what the

8 Carol A. Redmount, “Bitter Lives, Israel in and out of Egypt,” in the *Oxford* *History* *of* *the* *Biblical* *World*, ed. Michael D. Coogan (Oxford: Oxford University Press, 1998), 63.

C h apt er 4 . a C ou nt er pr o of 85

tribe is to believe about these matters from then on. After a few generations, this “national unforgettable,” that never happened, becomes the center of a national ethos. To buttress its authenticity the people embellish the story by saying that the ancestors had always believed it from the beginning.

Scenario Two. A greatly revered, nay, virtually worshiped, holy man has a dream at a time when dreams are believed to be contact with an upper world. In the dream, he believes, sincerely but falsely, that God is revealing to him a past national unforgettable, one that nobody will remember. “God” tells this holy person the great importance of teaching about this great historical event to the tribe *in* *the* *name* *of* *God*. This person also tells them of the divine laws that had been “forgotten.” The people, who greatly revere or almost worship this holy man, believe wholeheartedly, yet mistakenly, that God has appeared to this holy man with this message and that the event happened. This is reinforced by wishful thinking. If the question of the explanation for their lack of prior knowledge occurs to them at all, which need not to be assumed, they decide that since *God* is saying this, it must be true, so there *must* be a good explanation for their not knowing about all this, even if they cannot imagine what it might be. (After all, there *are* people who have great religious faith in the face of counterevidence!)

Scenario Three. Our imaginary nation has abandoned God in a massive way. The words of 2 Kings are an understatement: “They set them up images and groves in every high hill, and under every green tree: And there they burnt incense in all the high places.” Similarly, the words of Isaiah: “Their land is full of idols; they bow down to the work of their hands, to what their fingers have made.” A self-styled prophet rebukes them to make them change their ways. He scares them by telling them that at one time God gave them commandments at a spectacular event, and they are to observe them on pain of severe punishment. He tells them they do not remember the story because it was buried under the years of their massive idol worship. They become terrified of what punishments they will suffer, accept the story as true, and find plausible the explanation for national amnesia. A national unforgettable has been invented and lodged within a people’s ethos. In time, they buttress their

86 Pa r t I . C h a l len g e a nd R e s p on s e

belief by coming to believe that people always believed the story from the beginning, before the deluge of idol worship.

Here is another type of objection. Suppose there exists a story of an elaborate, spectacular, national unforgettable. A variety of protostories of it existed first in an oral tradition, for some time, before it was written down. (Biblical scholarship devotes much thought to the topic of oral and written traditions, and oral traditions are central to Form Criticism of the Bible.9) Even when things were first written down, several researchers have held, still oral culture continued to dominate. At first, written materials were not “texts” meant to be authoritative forms of narratives, but they functioned as ancillaries to orality.10 As such, they did not trump differing oral versions of a narrative but existed alongside them and could be modified if necessary.

Since our hypothetical story had been an oral protostory at first, we can appreciate how the story could have grown bit by bit until it reached the colossal dimensions of the elaborate national unforgettable story. Oral transmission is given to errors of memory, deliberate embellishment, and slight modifications for the present audience. Stories are spliced together or are split apart so that each part goes its own way. For various reasons, stories shift from being about *this* person and *that* place to being about another person and another place. Folk stories develop.

Bit by bit the story could have changed, with no change being so big as to raise the objection that if it had happened that way the audience would have remembered it. In any given case, the present

9 For early Form Criticism, see Hermann Gunkel, *The* *Folktale* *in* *the* *Old* *Testament* (Shefield: Almond, 1987), and Hermann Gunkel, *Genesis* (Macon, GA: Mercer University Press, 1997). For contemporary Form Criticism, see Martin John Buss, *Biblical* *Form* *Criticism* *in* *Its* *Context* (Shefield: Shefield Academic Press, 1990).

10 See Niditch, *Oral* *World* *and* *Written* *Word*, esp. chap. 3, “New Ways of Thinking of Orality and Literacy: Israelite Evidence,” 39–59. See also David Carr, *Writing* *on* *the* *Tablet* *of* *the* *Heart:* *Origins* *of* *Scripture* *and* *Literature* (New York: Oxford University Press, 2008), chaps. 4–8. I found this source in reading Benjamin Sommer, *Revelation* *and* *Authority:* *Sinai* *in* *Jewish* *Scripture* *and* *Tradition* (New Haven, CT: Yale University Press, 2015), 168.

C h apt er 4 . a C ou nt er pr o of 87

audience (the number might be small at any given hearing) could not be sure how it remembered the story from the last time they had heard it. Different versions are developed orally and in auxiliary writing before later on finally being fixed as an authoritative text that everyone accepts, because authoritative. An elaborate national unforgettable, with only a kernel of truth, has been born without problems of an absence of memory of it.

Here is another objection, based on Maimonides. In the *Guide* *of* *the* *Perplexed*, 3:50, Maimonides explains why the Torah saw fit to provide a detailed enumeration of the travel stations of the children of Israel in the desert (Num. 33):

Now the need for this was very great. For all miracles are certain in the opinion of one who has seen them; however, at a future time their story becomes a mere traditional narrative, and there is a possibility for the hearer to deny [its miraculous nature]. It is well known that it is impossible and inconceivable that a miracle lasts permanently throughout the succession of generations so that all men can see it. Now one of the miracles of the Law, and one of the greatest among them, is the sojourn of *Israel* for forty years in the *desert* and the finding of the *manna* there every day. . . . Now God, may He be exalted, knew that in the future what happens to traditional narratives would happen to those miracles: People would think that [the Children of Israel] sojourned in a desert that was near to cultivated land and in which man can live, like the deserts inhabited at present by the Arabs, or that it consisted of places in which it was possible to till and to reap or to feed on plants that were to be found there, or that it was natural for the *manna* always to come down in those places, or that there were wells of water in those places. Therefore, all these fancies are rebutted and the traditional relation of all these miracles is confirmed through the enumeration of those stations, so that men to come could see them and thus know how great was the miracle constituted by the sojourn of the human species in those places for forty years.

According to Maimonides, stories that begin as accounts of miraculous events tend in time to change to stories interpreting the same events as natural. So, says Maimonides, for the generations

88 Pa r t I . C h a l len g e a nd R e s p on s e

after the Israelite survival in the desert, the story of the great miracle of the *manna* likely would become a mere naturalistic narrative. In order to support the authenticity of the miraculous, God provided the names of the places where the Israelites had been in the desert so that these places could be visited and people could see for themselves the harsh desert conditions at these places in which the Israelites journeyed. People would be forced to conclude that the survival in those places could only have been the result of a miracle.

Although this reasoning lacks the force it once may have had, still today we can conjure up a type of scenario for how some true naturalistic stories—those where no collaborating background is provided—could be reinvented as miraculous. One day, an honored person comes along and invents a story about the Israelites having *miraculously* passed through the parted Sea of Reeds (“The sea split at twelve places, one for each Israelite tribe, just when Moses passed his staff over the waters, etc.”) and having *miraculously* escaped the drowned Egyptian army. The people protest, as the Kuzari Argument would envision it, that they vaguely know only a very modest, naturalistic version of the story. Had there been those miracles, they surely would have heard of them. Surely the miracles would have been recounted down through the ages. They refuse to believe there were any miracles.

A good Maimonidean reply to them would be this: “You never heard of the stupendous miraculous features of this story, because, as typically happens, as time goes on the miraculous became transformed into a naturalistic story. So the miracles receded away into oblivion. You were left with only the naturalistic shell. Now I come to restore the true miraculous account of the Sea of Reeds.” According to this, that would be a solid explanation for why the people lacked the appropriate memories, even if the story were invented. The people might or might not believe this honorable person about the miracles of which they never heard. But if they do disbelieve, they could not very well do so by invoking the Kuzari Principle. As far as that goes, miracles can well be invented on the backs of naturalistic stories.

C h apt er 4 . a C ou nt er pr o of 89

I do not believe that any of the above scenarios is actually true. Yet, none of the above scenarios is absurd, silly, intrinsically implausible, or otherwise worthy of ridicule. They draw on social/ cultural mores of long ago, and they show the Kuzari Principle to be weak. Without bringing to bear a faith-response, none of the conditions in these depictions can be ruled out as having prevailed with the ancient Israelites. Accordingly, the Kuzari Argument does not succeed.

Perhaps the Kuzari arguer might want to grant that there is no *proof*. Yet, in the specific case of the Sinai story, taking all considerations into account, and judging the overall evidence, still the *best* explanation for the very existence of the story is that it is true, because of the Kuzari Argument.

I reply that it is hard to see why this would be the best explanation, without implicitly turning to a faith response. But if we turned to faith as part of the reason for thinking so, then we would not have an evidential *proof* but a conclusion from faith. Moreover, a *best* explanation can be the best around yet be *less* than plausible. The best explanation does not necessarily have to be a *good* one. A man has been found murdered. There are five suspects. Four suspects are quickly ruled out because it is just too far-fetched to think any one of them was the murderer. So, the police are left with one suspect. That she is the murderer is the best explanation they have, given the suspects and any other suspects they can think of. But the police know better than to arrest her, since they do not find it plausible enough that she was the murderer, even though she is the best suspect they have. They do not have suficient evidence to arrest anyone for the murder.

So, the Sinai story being true can be more plausible than some other explanation, without the Sinai story being suficiently plausible in itself. That the Sinai story is true in its details, as the tradition demands, cannot be a *good* explanation without being able to neutralize the claimed counterevidence. Unless, that is, one resorts to a faith defense, which does not figure in the present part of this chapter.

Furthermore, that the truth of the Sinai story is the best explanation of the story’s existence could not be maintained simply

90 Pa r t I . C h a l len g e a nd R e s p on s e

were it to be *more*plausible than any other *single*scenario as an actual explanation of the existence of the Sinai story. Suppose that the Sinai story being true is more plausible than any *one* alternative. Yet, that story still could be less plausible than the claim that *something* *like* the alternative explanations must be true, given the total evidence. Given all of the possible alternatives, that some alternative or other, or combination of them, or the like, is true could still be a better explanation. For many people, that is a remaining impression after the Kuzari Argument has had its say.

Maybe you believe that the Kuzari Argument in isolation makes the historical accuracy of the Torah *somewhat* more probable than it would have been had the Torah not included the claim that the entire Israelite nation—millions—witnessed the theophany at Sinai. Even were that so, when taken together with the total evidence, the increase in the *total* probability seems too small to matter. The Kuzari Argument in isolation has too little force to overcome the modern critical understanding.

My conclusion is not meant to express doubt on the actuality of a Sinai event. I do mean to cast doubt on the Kuzari Argument being a proof of that.

My summary of these last three chapters is that the Hard Faith-Response can meet the challenge of Torah as history for those in a position to assert it sincerely and honestly. The Soft Faith-Response might make some dent in the problem of Torah as history, but it is hard to see it overturning the scholarly consensus. Popular apologetics does not satisfactorily meet the Challenge. Of course, I have not canvassed all apologetic moves, but I trust that my observations about the ones I have will likely apply to others of this genre. Finally, I have argued against an attempted counterproof to the Challenge. I conclude that a person who has already been convinced that the Torah is not historically faithful down to its details, does not have enough to go on in these attempts to bring him to change his mind.

**Part** **II**

**My** **Th** **eologIC** **a** **l** **Tool** **box**

**Chapter** **5**

**dI** **v** **I** **ne** **Prov** **I** **de** **nC** **e**

Part II of this book provides the theological toolbox with which to advance to a theology of Torah as history. In this chapter, I formu-late a concept of Divine Providence, and in the next chapter I offer the notion of divine accommodation.

**A** **Preliminary**

A major issue that arises with regard to any account of Divine Providence is the problem of evil. Much evil, including horrendous evil, exists. If God is in control, there should not be the amount of evil there is in the world or horrendous evils. If God really was guiding Jewish history, there could never have been a Holocaust. The evil of the world and the horrendous evils experienced by the Jews seem to preclude Divine Providence. The problem is even more serious if we acknowledge an element of chance in the world, as do, for example, several medieval Jewish philosophers. Why should God allow chance when God could control just everything?

This is an issue that I cannot deal with here in a satisfactory way. It would require several chapters and would take us too far away for too long from the topic of Torah as history. I have dealt with this topic elsewhere, and I refer the reader to where I, and others, have defended Divine Providence in the face of the evils of our world.1 This includes defenses of there being a world with chance occurrences.

1 See Jerome Gellman, *Experience* *of* *God* *and* *the* *Rationality* *of* *Theistic* *Belief* (Ithaca, NY: Cornell University Press, 1997), chap. 7; Gellman, “On God, Suffering, and Theodical Individualism,” *European* *Journal* *of* *Philosophy* *of*

C h apt er 5. D i v i ne P r ov idenc e 93

Saying this in no way should be understood as taking the world’s evils lightly or excusing the doing of evil in any way, for example, on the grounds that, after all, the evil is justified anyway. Defenses of the problem of evil, to be successful, must also explain why we are to combat evil the best we can. Such defenses have been made.2 For the remainder of this book, I ask readers for whom the problem of evil is a stumbling block to bracket the problem of evil, so that this book can be seen as offering a theology of Torah as history with the assumption, for now, of an adequate treatment of the problem of evil.

The *Stanford* *Encyclopedia* *of* *Philosophy* defines “Divine Providence” as follows: “All that occurs in the universe takes place under God’s sovereign guidance and control.” This definition can be parsed in at least three ways, depending on what we mean by being “under” God’s guidance and control. The *minimalist*definition of Divine Providence would have it that God’s “guidance” and “control” consist *solely* of having put in place and sustaining the permanent laws of nature to make for an orderly universe. According to this interpretation, “all” that happens transpires under the constraints of the natural laws in place since the time of divine creation. God does not intervene in the world, but some minimalists would acknowledge that God may do so, albeit very rarely.

The minimalist interpretation divides into determinist and nondeterminist components. As a determinist, a minimalist would maintain that given the laws of nature and initial conditions, every-thing that happens thereafter is determined naturally, down to the

*Religion* 1 (2010): 187–91; and Gellman, “A Theistic, Universe-Based, Theodicy of Human Suffering and Immoral Behavior,” *European* *Journal* *for* *Philosophy* *of* *Religion* 4 (2012): 107–22; Richard Swinburne, *Providence* *and* *the* *Problem* *of* *Evil* (Oxford: Oxford University Press, 1998); John Hick, *Evil* *and* *the* *God* *of* *Love* (London: Collins, 1970); Peter van Inwagen, *The* *Problem* *of* *Evil* (Oxford: Clarendon, 2006); Alvin Plantinga, *God,* *Freedom* *and* *Evil* (Grand Rapids, MI: Eerdmans, 2001).

2 I address this issue in Gellman, “On God, Suffering, and Theodical Individualism” (see note above). On a very good treatment of this issue, see Ira Schnall, “Sceptical Theism and Moral Scepticism,” *Religious* *Studies* 43, no. 1 (2007): 49–69.

94 Pa r t I I . m y T he olog ic a l To ol b ox

small details of reality (with the possible exception of freely willed human actions). The nondeterminist minimalist would allow events that God does not determine to occur within the boundaries of the permanent structure of lawful Divine Providence. These events are unpredictable. God’s guidance and control go only as far as what God’s laws of nature *allow*, not what they determine in detail. This sort of view can be found in the following passage in *The* *Guide* *of* *the* *Perplexed* by Maimonides:

I do not by any means believe that this particular leaf has fallen because of a providence watching over it, nor that this spider has devoured this fly because God has decreed and willed something concerning individuals . . . nor that when this fish snatched this worm from the face of the water, this happened in virtue of a divine volition concerning individuals. For in my opinion all of this is due to pure chance, just as Aristotle holds.3

And in this passage from the *Guide*:

Divine providence does not watch in an equal manner over all individuals of the human species, but providence is graded as their human perfection is graded. It follows necessarily that His providence, may He be exalted, that watches over prophets is very great and proportionate to their degree in prophecy and that His providence that watches over excellent and righteous men is proportionate to their excellence and righteousness. . . . As for the ignorant and disobedient . . . they have been relegated to the rank of the individuals of all the other species of animals.4

It turns out, then, that for Maimonides the vast numbers of human beings are given over to chance.

Chance events have a place in the thought of other medieval Jewish philosophers.5 In addition to Maimonides, Nachmanides

3 Moses Maimonides, *The* *Guide* *of* *the* *Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), pt.2, sec. 3:17, 471.

4 Ibid., 475.

5 A talmudic passage asserts that people can die before their time without judgment, that is, by accident and not by divine decree. The example the Talmud relates tells the story of the angel of death sending an agent to kill

C h apt er 5. D i v i ne P r ov idenc e 95

(1194–1270) wrote that God’s providence pertains to the preservation of species, but the individuals in the species are given over to chance. He goes further: “Also human beings are given over to chance, until their time of Judgment. However, to His saintly ones He gives attention to know him as an individual, to have His protection cling to him always” (Commentary to Genesis 18:19). Gersonides (1288– 1344) also acknowledges that chance events occur to people who abandon God.6 And Bahya ben Asher (thirteenth century) wrote:

The providence to save one from chance events does not exist for a1l humans, even in Israel, except for the saint1y among them, whom God saves from chance event *to* *which* *other* *people* *are* *given* *over*7*.*

Alas, minimalist providence might have some prestigious followers, but the view that providence goes no further than the laws of nature and leaves so much to chance is not robust enough of a notion of Divine Providence for much of a religious life.

The *maximalist* on Divine Providence maintains that God is at work in immediately and specifically controlling every last detail of the world, with the possible exception of freely willed human actions. The view of Israel Baal Shem Tov, founder of Hasidism, provides a good example of this sort of theology. The Baal Shem Tov is reported to have taught that if a leaf is turned over by a breeze, it is only because this has been specifically ordained by God to serve a particular function within the purpose of Creation. Such a theology would have to deny any element of “chance” in mechanisms of evolution, for example, which would be independent of God’s providence. Every genetic deviation, for example, would have to

one Miriam, and the agent mistakenly killing the wrong Miriam. The angel of death says that since the soul of the wrong Miriam has already been taken, it cannot be returned to earth (*Hagigah* 4b).

6 See Robert Eisen, *Gersonides* *on* *Providence,* *Covenant,* *and* *the* *Jewish* *People:* *A* *Study* *in* *Medieval* *Jewish* *Philosophy* *and* *Biblical* *Commentary* (New York: SUNY Press, 1995).

7 Bahya bar Asher, *Midrash* *Rabenu* *Bahya,* *on* *Genesis* *18:19* (Jerusalem: n.p., n.d.) (Hebrew); my emphasis.

96 Pa r t I I . m y T he olog ic a l To ol b ox

be a divinely ordered event, even dead-end ones. This is one way of understanding the following midrash: “Rabbi Shimon said: ‘There is not a blade of grass that does not have a *mazal* above that smites it and tells it to grow.’” Here “mazal” is literally a constellation in the heavens but commonly understood here to be referring to an angel.8

Although maximal providence might be attractive in religious terms, there are reasons to moderate it. That is because there are processes in nature that can plausibly be said to involve chance events, not determined down to the last details. At least there is little motivation to think otherwise.

Take the example of the decay of radioactive material. The half-life of the decay is the time it takes for half of the material to decay into nonradioactive material. There is no way of predicting which atoms will decay in the half-life and which will not. There are no fixed patterns in decays of radioactive material. Yet, the time it will take for half the amount of radioactive material to decay can be exactly predicted. What we have, plausibly, is an exactly determined overall process that on the inside looks for all the world to be made up of random, chance decay of individual atoms.

Of course, it *could* be that God is determining just when each individual atom will decay, but the motivation for saying so is weak.9 God’s control of the duration of the gross half-life process does not depend upon God determining exactly when each atom will decay. It depends only on the overall process being determined. Whether or not God determines which atoms will decay, and in what order, the result will be the same, because of the nature of the overall process. It is more plausible to think that the inner details of the half-life are chance events within an encompassing higher process of the half-life decay.

8 Midrash Rabbah, Genesis, 10:6.

9 I grant that in a kabbalistic construal of reality, every last detail of the world would be exactly planned as an expression of kabbalistic processes unfolding.

C h apt er 5. D i v i ne P r ov idenc e 97

Another example is evolution. It lacks plausibility to think that God wants exactly each miscopied gene, the vast majority of which are dead ends, to exist just when it exists, rather than to assume God guides the overall evolutionary process and its goal of issuing in cognitively endowed beings.10 Otherwise we would have to believe that every genetic variation of single cells that led nowhere was determined by God’s will. Of course, this can be, but now that we are conscious of processes such as these there is reason to moderate maximal providence, as we will now see.

In *moderate* *providence* God controls events beyond the mere fixing of natural laws. Yet, in moderate providence God *need* not control all specific events down to their last details. Moderate providence is holistic providence. It allows chance events within higher-level control. God determines outcomes without *necessarily* determining the small details that produce that outcome. Moderate providence is more religiously adequate than minimal providence, since it involves God’s guidance beyond the fixing of the laws of nature. And moderate providence has the advantage over maximal providence of recognizing processes containing chance events.

Moderate providence presents itself as a preferred alternative to both minimal and maximal providence.

Moderate providence, as I am thinking of it, has two components—interventional and noninterventional. In the first, God enters into the causal order of the world to directly bring about events that would not have occurred had God not intervened in the existing causal order of the world. In the second, God provides providence beyond the mere laws of nature without intervening into the course of nature.

10 S. Morris Conway, a decidedly minority voice, argues on scientific grounds that a being with the capabilities of a human being was an inevitable outcome of evolution. If that were to be so, it would dovetail nicely with the conception of moderate providence; see S. Morris Conway, *Life’s* *Solution:* *Inevitable* *Humans* *in* *a* *Lonely* *Universe* (Cambridge: Cambridge University Press, 2003). See also, Joel Yehuda Rutman, *Why* *Evolution* *Matters:* *A* *Jewish* *View* (London: Vallentine Mitchell, 2014), chap. 4.

98 Pa r t I I . m y T he olog ic a l To ol b ox

**Divine** **Intervention**

The idea of God’s intervention in the natural order has been dis-paraged, mocked, and dismissed in the name of naturalism. But is this warranted? We can distinguish three types of naturalism. Let’s call “metaphysical naturalism” the view that all that *exists* are processes and entities, in principle, knowable by humans through scientific methods, based on the senses and scientific theory. Per-haps some scientists believe this, but it is a wholly indefensible position. This makes what *exists* beholden to our human epistemic limitations. Here we are, a specific species on a tiny planet that is a tiny, minuscule part of the universe. This view would have it that nothing out there exists unless we here could, in principle, come to discover it. Accordingly, there could not be anything, in principle, beyond our ken, there could not possibly be creatures anywhere ever with cognitive capacities different from ours who could know things we could never know. There is no reason at all to envisage this as true. A believer can calmly set metaphysical naturalism aside.

Let us call “epistemic naturalism” the view that humans can *know* what exists only by means of scientific methods, based on the senses and logic. This can be true, according to epistemic naturalism, even if there might *exist* matters beyond human ken. It is just that we will never know about them. The reason for accepting this version would be the spectacular success of science in explaining so many things that were unexplained or that were thought once to have solely a supernatural explanation. This creates confidence in some people that all matters that we want to know will come *only* through the scientific method. Epistemic naturalism need not be part of the scientific enterprise, and it constricts our epistemic life unjustifiably. Different types of experiences and evidences can contribute to a cumulative case for truths beyond the reaches of scientific judgment.

Kai-Man Kwan, echoing the views of other philosophers, has defended “holistic empiricism,” which takes account of a “rainbow” of human experiences, drawn from one’s internal experiences of oneself, one’s existential experiences, the flavor of interpersonal

C h apt er 5. D i v i ne P r ov idenc e 99

experiences, moral experience, aesthetic experience, religious experience, and intellectual experience.11 Through all of these, humans experience meaning that transcends the level of scientific judgment. This assemblage of experiences rightly includes elements that go far beyond what epistemic naturalism recognizes.

Perhaps one will not want to give the resulting accumulation of such experiences quite the status of “knowledge,” but I would insist on calling it “reasonable,” “rational,” or “acceptable” belief. A religious person need not accept epistemic naturalism. That we should believe only what science can establish is not itself a scientific pronouncement. It is not a matter here of conceding to scientific evidence but of obeying *opinions* added on to the scientific enterprise, opinions outlawing what many people find to be most profoundly important in life.. Finally, a person who bases her religious outlook entirely on *faith* will be immune to the claims of epistemic naturalism. She will be able to readily admit that she *knows* nothing other than what can be determined by science. However, she has *faith* in matters beyond those methods.

Epistemic naturalism should be distinguished from weaker “methodological naturalism,” which only limits *science* to what is accessible to naturalistic methods—our physical senses as the bases of reasoning and theorizing. Methodological naturalism allows the possibility of a nonscientific, religious realm. But it would only insist that religion is not part of *science*. Methodological naturalists invoke this conviction to argue, for example, that Intelligent Design explanations of alleged irrevocably complex biological structures and processes are in no way part of science. Thus, Intelligent Design should not appear in a science curriculum in schools. A religious person could embrace methodological naturalism happily, since it pertains only to how to do science. It does not limit us to science alone. Naturalism, I conclude, should not defeat moderate divine providence.

11 Kai-Man Kwan, *The* *Rainbow* *of* *Experiences,* *Critical* *Trust,* *and* *God:* *A* *Defense* *of* *Holistic* *Empiricism* (New York: Continuum, 2011).

100 Pa r t I I . m y T he olog ic a l To ol b ox

But perhaps divine intervention clashes with truths established by science? One may suppose that when God intervenes in the natural order, this would imply the input of additional energy into the world. This would clash with the law of the conservation of energy. So, from a scientific point of view, divine intervention of any kind is not possible. Alvin Plantinga has pointed out, though, that the law of conservation of energy is valid only when supposing the world to be a closed system. But this need not be the case. Here is an excerpt from Sears and Zemansky’s standard text *University* *Physics* on the law of conservation of energy. Alvin Plantinga cites it to make this point: “This is the principle of conservation of linear momentum: When no resultant external force acts on a system, the total momentum of the system remains constant in magnitude and direction.” And, “The internal energy of an isolated system remains constant. This is the most general statement of the principle of conservation of energy.”12 The principle says nothing about conservation of energy in systems that are not closed or isolated. And, of course, when God intervenes in the natural order, the world system is not closed. To insist that it *is* closed is to outlaw divine intervention by fiat from the start.

Perhaps, though, there still remains an objection to divine in-tervention. That would be that recognition of the possibility of such intervention would be the ruin of science. When anything has not yet been explained by science, an advocate of intervention could just announce that it is to be explained by an act of God. We would not pursue suficiently scientific explanations. Science would be stunted, and we would be in danger of returning to pre-scientific times.

This is not a strong objection. It is at most a good objection to the *abuse* of the possibility of divine interference. It is not an objection to responsible use of that possibility within an overall commitment to pursuing scientific accounts of matters. That something so far has

12 Francis Weston Sears and Mark W. Zemansky, *University* *Physics* (Boston: Addison-Wesley, 1963), 186, 415, respectively; quoted in Alvin Plantinga, *Where* *the* *Conflict* *Really* *Lies:* *Science,* *Religion,* *and* *Naturalism* (Oxford: Oxford University Press, 2011), 203.

C h apt er 5. D i v i ne P r ov idenc e 101

not been explained by science is indeed not a good reason to believe it is a result of a divine interference. In any case, believing in divine intervention does not require ever knowing a particular instance in which this happens. The belief functions more as a theological presupposition of all experience.

So, moderate providence will be understood to have an interventionist component, but we will want to limit its frequency so as not to threaten the eficacy of scientific explanation.

Before moving on to noninterventionist providence, I should mention that some philosophers and theologians argue that God could intervene in nature at the quantum level.13 Their idea of “quantum providence” is (according to a main understanding) that laws as to the location of particles are only statistical, not absolute. That is to say, prior to measurement, a particle does not have a definite position, but has only a superposition determined by the probability of the particle being at any of a number of positions. These probabilities are spread out beyond any one given position.

It is only when measured that there occurs a “quantum collapse,” that is, the particle assumes a particular location out of all the prior probabilities. It is “found” at one place. Given the statistical nature at this level of particles, a description of the world at any given time will not give you a description of the next moment at this level. Nature possesses an intrinsic indeterminacy. A different collapse-view, the Continuous Spontaneous Localization Model, says that a quantum collapse takes place independently of measurement, millions of times per second. These collapses are spontaneous and not determinately caused.14

13 A collection of quantum providence approaches can be found in Robert John Russell et al., eds., *Quantum* *Mechanics:* *Scientific* *Perspectives* *on* *Divine* *Action* (Rome: Vatican Observatory Publications; Center for Theology and the Natural Sciences, 2002). See also F. LeRon Shults, Nancy Murphy, and Robert John Russell, *Philosophy,* *Science,* *and* *Divine* *Action* (Leiden: Brill, 2009), for a number of defenders of quantum providence.

14 See G. C. Ghirardi, “Collapse Theories,” in *The* *Stanford* *Encyclopedia* *of* *Philosophy*. There are deterministic, noncollapse interpretations of quantum theory. As I understand it, a collapse approach is the main one.

102 Pa r t I I . m y T he olog ic a l To ol b ox

Given that, the claim is that God could bring about change by working at the quantum level without violation of laws of nature. What God wrought will be possibly very improbable, but not physically impossible, given the lack of relevant laws at the quantum level.

For the theologians who advance quantum providence, there are various ways God can work at the quantum level. For example, God could alter the probabilities in the superposition prior to measurement, thereby increasing the probability of there being a certain range of outcomes in a measurement. Or, God could cause a particular quantum collapse within the superposition, placing the particular at a location. Or, God could determine the result of a measurement, pinning a particle down to a specific location. Or, on the alternative collapse-view where measurement is not the issue, God could bring about a string of specific collapses not to “alter” but to decide events in the very first place.

In none of these examples does God interfere with the laws of nature. God would act by deciding quantum events within conventional probability patterns, which permit wide variation in particular outcomes. God could affect large events without violating laws of nature. By repeated actions at the quantum level, God could influence the macro world in ways it would not have gone otherwise (by the proverbial butterfly effect). Among other changes God could bring about would be influencing free choices indirectly without interfering with human freedom. God can do this by bringing about a situation wherein a person now has an opportunity to do something that she would not have had if God had not brought about that situation.

The possibility of quantum providence is controversial for physics.15 Those theologians, including some trained scientists, who endorse quantum providence depend on a particular, mainstream interpretation of the quantum world. But, physics has an array of competing explanations of what is going on at the

15 For a detailed analysis and critique of quantum providence, see Nicholas Saunders, *Divine* *Action* *and* *Modern* *Science*(Cambridge: Cambridge University Press, 2002). Saunders also discusses other forms of providence.

C h apt er 5. D i v i ne P r ov idenc e 103

quantum level. So, I recommend quantum providence as a type of moderate providence mostly for fans of mainline, superposition quantum physics and for those convinced by the scenarios set out by sympathetic theologians. I retain quantum providence, then, as an alive, but secondary, possible form of interventionist Divine Providence.

**Noninterventionism**

The second category of moderate providence, after intervention, is a noninterventionist one, “top-down” or “downward causation” Divine Providence.16 Top-down causation refers to when a higher-level system organizes components at a lower level, when the organization cannot be attributed to the properties of the components themselves. The explanation lies in higher organizational levels that work downward to the lower level. This results in chance and randomness at the component level, while the higher-level structure is imposing an overall organization on the chance events, both constraining and directing. Top-down causation denies reductionism, which holds that the behavior of a whole is completely determined by the properties of its elements.

The half-life decay of radioactive material that we saw above would be offered as a good example of downward causation. Here are some more of the examples of top-down causation offered by top-down people, in addition to the examples I have already given. A simple, vivid example is of a wheel rolling downhill. The molecules making up the wheel are doing their normal random behavior within the wheel. However, the location of the molecules in gross geographic terms is not a result of anything the molecules are doing, but the result of the “higher-level” rolling wheel determining, by downward causation, the parameters

16 The following is only one person’s opinion, and I do not wish to fall into the trap of waving one opinion in front of the reader as the “oficial” one; however, it is worth noting that Saunders, a sharp critic of quantum providence, thinks that top-down providence is “the most promising current theory” of divine action in the world; see ibid., 213.

104 Pa r t I I . m y T he olog ic a l To ol b ox

within which the molecules will be found. The first-level randomness of the molecules takes place while a second-level is determining where the gross geographic location of those molecules will be.

All snow crystals have a six-directional symmetry. I have learned from Professor S. E. Google that the very symmetry is a result of the properties of the water molecules themselves. This is “bottom-up” in being caused by the properties of the “bottom” level, as it were. The specific shape of that six-directional symmetry in any given snow crystal, however, will vary and is not determined merely by the properties of the molecules making it up. The exact shape (the “top”), provided by a higher-level organizing principle, constrains and organizes the molecules (the “down”) to take their place only at places allowed by the shape. It does this without determining the exact place for any single molecule, only the clumps of molecules taken holistically. We get molecule indeterminism within a determined specific pattern.17

Another example of top-down control is the cooperative movement of molecules in a fluid to an organized result (convection). An example is Bénard cells, which emerge under certain conditions when a fluid is heated from below. These cells become organized in an orderly pattern visible to the eye. The result does not come about from the intrinsic properties of the fluid, but from a holistic organizing of the fluid “from above.”

Here is a generalized statement of the idea by Roger Sperry, a longtime reductionist who moved over to the top-down group:

The atoms and molecules of our biosphere are moved around, not so much by atomic and molecular forces as by the higher forces of the varied organisms and other entities in which they are embedded. The atomic, molecular and other micro forces are continuously active but at the same time they are enveloped, submerged, superseded, “hauled and pushed around” by, or “supervened” by an infinite variety of other higher molar

17 Francis Heylighen, “Downward Causation,” *Principia* *Cybernetica* *Web* (1995), accessed August 25, 2015,

http://pespmc1.vub.ac.be/DOWNCAUS.html.

C h apt er 5. D i v i ne P r ov idenc e 105

properties of the systems and entities in which the microelements are embedded—without interfering with the physico-chemical activity of lower levels.18

Neuroscientists are attracted to top-down causation. For what it is worth, philosopher of science Carl Craver can say categorically that explanation in neuroscience *is* explanation in terms of higher levels acting downward.19 This excludes what he calls the “fundamentalists,” who cling to exclusive bottom-up explanation. This opposes reductionist views of the brain, according to which all explanation in the brain is bottom-up. But, of course, there are “fundamentalists.”

Some philosophers have used brain top-down causation to provide for personal agency in relation to the brain. The idea is that the agent consists of the higher principles that impose organization on lower neuron goings-on. Here is how neuroscientist Kevin Mitchell puts this idea:

Randomness, that lack of determinacy, does introduce some room, some causal slack, for top-down forces to causally influence the outcome. It means that the next lower-level state of all of the components of your brain (which will entail your next action) is *not* completely determined merely by the individual states of all the molecular and atomic components of your brain right at this second. There is therefore room for the higher-order arrangements of the components to also have causal power.20

18 See Eric Thomson, “Examples of Downward Causation?” *Metaphysics,* *Phi-losophy* *of* *Science* (2007), accessed August 25, 2015, http://philosophyofbrains.com/2007/04/05/examples-of-downward-causation. aspx.

19 See Carl F. Craver, *Explaining* *the* *Brain,* *Mechanisms* *and* *the* *Mosaic* *Unity* *of* *Neuroscience* (Oxford: Clarendon, 2007). I thank Yakir Levine for leading me to this source and for helping me understand chapter 5 therein.

20 Kevin Mitchell, “Top-down Causation and the Emergence of Agency,” accessed August 15, 2015,

http://www.wiringthebrain.com/2014/11/top-down-causation-and emergence-of.html.

106 Pa r t I I . m y T he olog ic a l To ol b ox

There are different conceptions of downward causation, and I am not in a position to judge which would be most appropriate to Divine Providence. In any case, I imagine that an appropriate conception of Divine Providence would be what Claus Emmeche, Simo Koppe, and Frederik Stjernfelt call “medium downward causation.” In this type of causation, “higher entities are constraining conditions for the emergent activity of lower levels, and . . . the already realized higher level states are constraining conditions for the coming states.” The constraining conditions are what these authors describe as the higher level “characterized by organizational principles . . . that have an effect on the distribution of lower level events and substances.”21

Now, as luck would have it, in contrast to what I have been quoting until now, there are many scientists, including very prominent ones, who refuse to recognize holistic downward causation. Some do so by insisting that in time what some *now* take to require downward processes for explanation will be proven to be explained by your ordinary bottom-up processes. Among these naysayers is the celebrated Francis Crick. Regarding downward causation in neurobiology, Crick writes, “You, your joys and your sorrows, your memories and ambitions, your sense of personal identity and free will, are in fact no more than the behavior of a vast assembly of nerve cells and their associated molecules.”22 No higher levels of organization will help you. He says this despite the fact that the day seems far away when this might become established scientific fact. Others who reject the entire notion of downward causation do so because they cannot fathom how a top-down process might work. Top-down causation is downright “spooky,” they think. So, they refuse to accept there is any such thing as downward causation.

21 See Claus Emmeche, Simo Køppe, and Frederik Stjernfelt, “Levels, Emergence, and Three Versions of Downward Causation,” in *Downward* *Causation.* *Minds,* *Bodies* *and* *Matter*, ed. Peter Bøgh Andersen et al. (Åarhus: Åarhus University Press, 2000), 13–34.

22 Francis Crick, *The* *Astonishing* *Hypothesis:* *The* *Scientific* *Search* *for* *the* *Soul* (London: Simon & Schuster, 1994), 3.

C h apt er 5. D i v i ne P r ov idenc e 107

In reply, a number of things can be said in defense of top-down causation. There is no doubt that resistance to downward causation is often motivated, by a naturalistic agenda that denies the existence of any causes in the world other than causes explicable by physics. Since top-down causation detaches from explanation by physics alone, it cannot be acceptable. In that case, an insistence that all is bottom-up, and nothing top-down, when that is far from having been demonstrated and when there *appear* to be top-downers, is a declaration of an *emunah*, “faith/trust,” in naturalism. I will not impugn another person’s faith. However, a traditional Jew should, in the meantime at least, stay with her own *emunah* in Divine Providence. She need not exchange her faith and trust in Providence with the faith of the naturalist. Until the time comes when the naturalistic *emunah* is verified, if it ever is, the traditional Jew is fully within her rights to stick with her own *emunah*, relying on those scientists, who are many, who identify top-down causation in nature.23

Second, downward holistic causation is no spookier, and maybe less so, than several other things that science acknowledges, such as the “spooky” behavior of entangled particles, and the wave–particle duality of subatomic particles. For that matter, all of quantum theory is spooky. If spookiness is the real problem, a believer can safely replace “spookiness” by “Divine Providence” and have a clear conscience. Thus there should be no problem from the direction of science for taking up such a stance.

A principal theological proponent of top-down Divine Provi-dence was Arthur Peacocke.24 Peacocke offered that God acts by

23 The situation here is different from the situation where there is a challenge to Torah as history. There we are dealing with an evidence-based consensus that has what it takes to convince many people. Here we are dealing with competing faith stances.

24 See Arthur Peacocke, *Theology* *for* *a* *Scientific* *Age:* *Being* *and* *Becoming—Natural* *Divine* *and* *Human* (Minneapolis: Fortress, 1993), Peacocke, *Paths* *from* *Science* *towards* *God:* *The* *End* *of* *all* *Our* *Exploring* (Oxford: Oneworld, 2001), Peacocke, *Creation* *and* *the* *World* *of* *Science* (Oxford: Oxford University Press, 2004), and Peacocke, *Evolution,* *the* *Disguised* *Friend* *of* *Faith?* *Selected* *Essays* (West Conshohocken, PA: Templeton Foundation Press, 2004). I should note that

108 Pa r t I I . m y T he olog ic a l To ol b ox

“top-down” constraints upon the world. Nature, on his view, is a hi-erarchy of increasingly complex systems in which lower level struc-tures are incorporated within higher levels of organization. Think of God, then, imposing scaffolded high-level frameworks in which individual events occur. Then, individual occurrences within the framework can occur only within the boundaries allowed for by the framework’s structure, and by organizing downward application, they can be directed along a path by the projected “curvatures” of the higher, divine grid. In that way, chance on a micro level will be consistent with macro providence. God’s providence can exist at a multiplicity of levels, from the highest level, encompassing all of nature’s structures, to lower levels, exerting downward causation at levels lower.

Peacocke applies this conception to evolution.25 The “micro” level, as it were, of evolution is indeed marked by what appear to be chance or random events. Miscopied genetic material would be a good example of that. Another would be genetic drift. This, however, does not entail that the overall process of evolution is random and thus beyond Divine Providence. What is random at a lower level can be directed overall from a higher level of organization, in this case by an organizing principle from God. On this view, God cannot be said to “intervene” in the natural order against the settled way the world works, for Divine Providence works in collusion with the order of nature, not against it.

Neither interventionist nor noninterventionist moderate providence has been ruled out by science, even though, perhaps, it has been ruled out by an extrascientific mood *about*science. Moderate providence has the advantage of allowing chance events, as already noted, and it also posits vigorous credit to human choices. That

Peacocke was a panentheist and not a standard theist. Others who take this position are Donald T. Campbell, “Downward Causation in Hierarchically Organized Systems,” in *Studies* *in* *the* *Philosophy* *of* *Biology:* *Reduction* *and* *Related* *Problems*, ed. F. J. Ayala and T. Dobzhansky (London: Macmillan, 1974), 179–86, and Philip Clayton, *God* *and* *Contemporary* *Science* (Grand Rapids, MI: Eerdmans, 1998).

25 Peacocke, *Evolution*.

C h apt er 5. D i v i ne P r ov idenc e 109

is because in top-down providence what is accomplished can be the result of human choices, with Divine Providence supervening through top-down regulatory causation. This too reflects well how things seem to be, granting providential governing of the world, when we observe the impact of human choices on history.

Therefore, in what follows I will be adopting moderate provi-dence in both its noninterventionist and interventionist compo-nents, with top-down levels of causation interposed, especially in the far past, by direct divine intervention, possibly including quantum providence as well. Top-down holistic providence operates as punctuated by direct intervention. The latter includes what I would call “soft” intervention—intervention that works by introducing new hierarchical principles of organization as needed, newly shaping outcomes without directly moving an object from A to B before our very eyes. Moderate providence, it should be not-ed, is consistent with individual providence for some individuals. Individual providence can take place either by direct divine intervention or by lower-level organizational matrixes, lower down in the cascading hierarchy of top-down frameworks.

In the remainder of this book, I shall use the term “providence” to mean *moderate* *providence*, and I shall use the full “moderate providence” only for emphasis.

Now that we have acknowledged the category of moderate providence, I want to note what will be the distinction between it and minimal providence. The distinction would collapse if you thought of moderate providence solely in terms of downward causation and of such providence as part of the permanent “laws of nature.” As previously defined, since minimal providence limits providence to the laws of nature, the distinction would break down. The distinction between the two will remain when we remember that *interventionist* providence is a built-in part of moderate providence. The distinction remains also if we distance downward providence from mere laws of nature, on the grounds of its allowing a metaphysical character, and thus not necessarily belonging entirely to “natural” nature. In honor of those who are a bit tepid about direct divine intervention, the intervention here would include “soft” intervention, that is, God introducing new

110 Pa r t I I . m y T he olog ic a l To ol b ox

hierarchical principles of downward causation as things go along. Finally, a minimalist who rejects top-down causation is left out of moderate providence.

The top-down constituent of moderate providence suitably blurs the distinction between exclusively divine action and exclusively freely willed human action. This is an important result for the theology to come, which will propose to blur just that distinction.

Here is what I mean. Imagine I am preparing a cake. At the “macro” level, I control every step of the process. I pour the flour into the bowl, I add other ingredients, I mix all together, I turn on the oven, I place the cake into the oven, and I remove it at the proper time. I have controlled and guided the cake baking from start to finish. But underneath all that there were things going on at levels that were “micro”—in relation to my “macro” control—over which I exercised no control. I did not determine changes in the arrangement of the molecules of the ingredients, exactly how the ingredients would mix in detail, or, when I poured the flour, where each grain of flour would land in the bowl. The haphazard manner in which the latter tumble into the bowl, for example, is in stark contrast to my control and guidance at the macro level. Relative to me, the micro level shows chance occurrences.

Now suppose that when I poured the flour into the bowl in preparing the cake, each grain of flour had free will pertaining to just where it would end up in the bowl, given the space available to it. So, each grain comes to rest in the place it chooses to be. Some choose to be with their friends, others prefer to have an adventure and meet new grains. Now, what would be the explanation of how it came about that a particular grain of flour, G, was in the bag of flour a minute ago and is now in place P1005 in the bowl—is my action the explanation or is the free choice of G the explanation? Obviously, the answer is both. In my pouring the bag of flour into the bowl, I provided the framework boundaries, the direction, and the general place into which G would fall. Within that framework, direction, and general place, G chose just P1005 for G’s own reasons. Thinking in this way, the distinction between my higher-level action as explanation and G’s lower level choice as explanation gets blurred into a combined explanation for the same event.

C h apt er 5. D i v i ne P r ov idenc e 111

Just so, noninterventionist moderate divine providence blurs the distinction between human and divine action, while not entailing a lack of free will on the part of humans. When top-down moderate providence is at work, what we *see*with our physical senses is people making choices and carrying them out. And we see consequences of those choices. In addition to those choices, however, what we do not *see* directly is the operation of higher-level organizing principles that constrain our freely willed and completed actions and organizes them so as “to fall into the intended bowl.”

That there are border constraints on free will should not be a problem, since in any case our free will is limited in many ways. It is limited by our “facticity.” This refers to facts about us over which we have no free will: I cannot choose to jump ten meters into the air, sing soprano, dye my hair grey (since it already is grey), hear all sounds dogs can hear, or cut off my sixth finger (since I do not have one). These all are limitations of my free will. So, God’s guiding of human history in this way would simply be imposing another aspect of facticity, which limits the scope of our freedom in any case, but which yet will leave us a broad spectrum of available free choices.

In choosing this “blended” form of divine-human action as providence, I look ahead to when I will present what it would mean for Torah to be “from heaven” on the assumption of moderate providence. At this point I turn to the second item I need in my theological toolbox.

**Chapter** **6**

**dI** **v** **I** **ne** **aCCoM** **ModaT** **Ion**

In his study of divine accommodation, Stephen Benin defines it as God adjusting divine revelation “to the disparate intellectual and spiritual level of humanity at different times in history.”1 God adjusts to the low level of the addressees to speak to them in words they understand best, even if the words are not accurate. And, God descends to the low level of the addressees in what God demands of them, rather than requiring a level of behavior in accordance with higher, absolute values. The idea is that given the circumstances of the intended message at any time, God tailors the message, the teaching, to limited human capacities. And God does this out of care and love for the ones God addresses. Were God to speak the truth, as it were, God would not be understood, or what God conveys would be beyond the capacity of the audience to obey. Thus God shapes the message in the best way possible for the present circumstances. At the same time, we have to believe that doing so advances spiritual progress from that point.

If we assume that in some important sense the Torah is divinely inspired, as I do, and recognize divine accommodation, we can conclude that the Torah might well have content that is not really true, since in the Torah God was condescending to the human limitations of the time. And we can conclude that the Torah very likely includes laws tailored to the particular spiritual level of the people at the time of the Torah being promulgated, and that these laws, therefore, do not reflect ideal values.

1 Stephen D. Benin, *The* *Footprints* *of* *God:* *Divine* *Accommodation* *in* *Jewish* *and* *Christian* *Thought* (Albany: SUNY Press, 1993), xiv.

C h apt er 6. D i v i ne ac c om mo d at ion 113

Truly, there is a long tradition within Judaism that the Torah contains divine accommodation in a variety of ways.2 This applies to both legal and nonlegal content of the Torah. My aim in this chapter is to put on record a sampling of this respected tenet in traditional Judaism.

Early on, Philo of Alexandria (ca. 20 BCE to 40 CE) used the idea of divine accommodation as an exegetical tool, applying it to language about God in the Torah. Tzvi Novick presents us with some examples of this in Philo’s writings.3 Philo writes about the attribution of human features to God, that the Torah uses these, but “not indeed using these expressions with strict truth, but having regard to the advantage of those who are to learn from it” (58). These are a “mere crutch for our weakness” (56). Accordingly, when dealing with Exod. 24:10, where Moses and the elders see God’s feet resting on a sapphire footstool, Philo says, “To say that He uses hands or feet or any created part at all is not the true account. For God is not as man. It is but the form employed merely for our instruction because we cannot get outside ourselves, but frame our conceptions of the Uncreated from our own experience” (55).

Just so, when God appears to a person as an angel, God does so “with a view to the profit of him who was not yet capable of seeing the true God. For just as those who are unable to see the sun itself see the gleam of the parhelion and take it for the sun, and take the halo around the moon for the luminary itself, so some regard the image of God, his angel, the Word, as His very self” (58).

Turning to sources more authoritative in the tradition than Philo, a talmudic phrase was to become a magnet for a development of widening claims of divine accommodation. The Babylonian Talmud uses the following principle: “The Torah speaks in the language of people.”4 In other words, the Torah writes as people

2 I am most grateful to Menachem Kellner for some of the Medieval sources I cite in this chapter.

3 Tzvi Novack, “Perspective, Paideia, and Accommodation in Philo,” *The* *Studia* *Philonica* *Annual* 21 (2009): 49–62. All translations of Philo are by Novack. I thank him for bringing his study to my attention.

4 For example, in Baba Matziah 31b, Gittin 41b, and Ketuvot 67b. According to

114 Pa r t I I . m y T he olog ic a l To ol b ox

speak, colloquially and at the level of people in general. Scholars are divided as to whether this phrase reflects a systematic hermeneutic of a school of exegesis 5 or is merely an ad hoc device to explain some talmudic disputes.6 In any case, the Talmud applies the dictum “The Torah speaks in the language of people” to legal contexts only in order to deflect legal conclusions from the way a passage is worded in the Torah. In these cases, the idea is, the Torah does not mean to imply anything over and above what is plainly written, for when using the wording in question, the Torah is simply expressing itself colloquially. The language was not meant to be legally exact, and nothing can be inferred from the phraseology. Now, the idea of divine accommodation is implicit here. For why should the Torah use ordinary colloquial language when legal technical language would be more rigorous? The reason must be to make the text more easily readable, comprehensible, or acceptable to the reader. God makes a concession for the sake of making the text more familiar to the reader.

We find explicit reference to divine concessions in the Talmud, again limited to legal contexts. Here are some examples. Famously, the Talmud states that permission granted to a Jewish soldier to take captive a beautiful woman from the enemy’s camp (Deut. 21:10ff) and have relations with her, is founded on the Torah making a concession to the Evil Inclination (Kedushin 21b). This means that the Torah conceded this act, but within certain legal constraints, because otherwise the soldier, overcome by desire, would have

Jay M. Harris, the phrase occurs nineteen times; see Jay M. Harris, *How* *Do* *We* *Know* *This?* *Midrash* *and* *the* *Fragmentation* *of* *Modern* *Judaism* (Albany: SUNY Press, 1995), 34–35.

5 R. Abraham Joshua Heschel sees this dispute as being between the school of Rabbi Akiva, who wished to expound on every extra or odd letter of the Torah, since the Torah speaks a “divine” language, and the school of Rabbi Ishmael, who preferred to understand the Torah as speaking in a colloquial voice, since the Torah speaks in the language of people. See Abraham Joshua Heschel, *Heavenly* *Torah,* *as* *Refracted* *through* *the* *Generations* (New York: Continuum, 2005), 46–64, esp. 47–49.

6 This is the view of Harris, *How* *Do* *We* *Know* *This?*

C h apt er 6. D i v i ne ac c om mo d at ion 115

taken the woman in any case, with no legal constraints. Thus “The Torah speaks against the Evil Inclination.”

Commenting on the Mishnah that a man, but a not a woman, is commanded concerning the duty to have children, the Talmud derives that ruling as follows: “Rabbi Ile’a replied in the name of R. Eleazar son of R. Simeon: Scripture stated, ‘And replenish the earth, and subdue it.’” It is the nature of a man to subdue but it is not the nature of a woman to subdue. These rabbis see the nature of man to be a “subdue-er” and the nature of a woman to be subdued. Replenishing the world, then, the obligation to have children, must apply, in accordance with this verse, only to the one who subdues, the man, and not to the woman.

After quoting a different proof-text for the same conclusion in the name of a different rabbi, the Talmud then returns to R. Ile’a: “R. Ile’a further stated in the name of R. Eleazar son of R. Simeon: As one is commanded to say that which will be obeyed, so is one commanded not to say that which will not be obeyed.” The implication is clear. Ideally, it would have been good and proper to command not only men but also women to have children. Women, after all, give birth to babies, not men. However, had God commanded women to have children, this would have required women to actively subdue men to ensure the fulfillment of their obligation. This would have been against their nature. The command would have been too hard for them to fulfill. So, God yields to human nature to give a command less than ideal. Women are excused from this command.

Regardless of what you might think of the talmudic analysis of a woman’s psychology, we have here a clear talmudic instance of divine accommodation.

An early midrashic instance of divine accommodation is quoted by Benin, from Leviticus Rabbah:

R. Pinhas said in the name of R. Levi: [Biblical laws of sacrifices are to be compared] to a prince who became deranged and who was used to eating carcasses and forbidden meat. Said the king, “Let these dishes be always on my table, and of himself he will get weaned.” So also, since Israel was eagerly attracted to idolatry and its sacrifices in Egypt . . . God said, “Let them always bring

116 Pa r t I I . m y T he olog ic a l To ol b ox

their sacrifices before me in the Tabernacle, and thus they will separate themselves from idolatry and be saved.7

This passage deems temple sacrifices to be a divine concession due to cultural influences at the time and the consequent dificulty of quickly displacing those influences. The aim of the legislation is to bring the people gradually to a better place by means of the accommodation. This idea was famously picked up by Maimonides in the *Guide* 2:32.

Leviticus Rabbah asks why the Torah demands sacrifices only with domesticated animals and not with wild animals of the fields. It answers that the Torah wanted to make the fulfillment of its laws expedient for the people. So the Torah did not require having to catch wild animals for sacrifices. This is another example where the sages believed the Torah tailors its laws to the convenience of the audience, an instance of divine accommodation.

Medieval commentators widened the application of the dictum “The Torah speaks in the language of people” as a principle of divine accommodation. The Torah, on this reading, condescends to human limitations to express its teachings in an accessible way, in such a way that what was said is not true, but formulated to give practical direction to the human audience. The first widening of the principle pertained to anthropomorphic language about God. According to Shraga Abramson, Judah ibn Kuraish (ninth century) was the first to apply this principle to language about God.8 Referring to references to God’s nose, and to other anthropomorphic references, ibn Kuraish writes:

However, this is all only the style of people, what they understand according to their spirit and soul, as the Rabbis said: “The Torah speaks in the language of people.” . . . All of these are, as we have

7 Leviticus Rabbah 22:8, as translated in Benin, *The* *Footprints* *of* *God*, 127–28, following the text of Mordecai Margulies, *Midrash* *Leviticus* *Rabbah*, 3 vols. (Jerusalem: Wahrmann, 1972).

8 Shraga Abramson, “The Saying of the Rabbis and Its Interpretation,” *Molad* 7 (1971): 421–29 (Hebrew); the reference to ibn Kuraish is on 421–22.

C h apt er 6. D i v i ne ac c om mo d at ion 117

said, to come close to the understanding of people, according to their intellectual ability and understanding, in their capacity and level.9

This was closely followed by Rabbi Nissim Gaon (990–1062), who made a similar application of the principle to anthropomorphic language.10 An early systematic application of the dictum that the Torah speaks in the language of people to anthropomorphic language is found in the commentary to the Torah of Abraham ibn Ezra (1089–1167).11 Ibn Ezra uses this dictum to explain that language about God does not truly describe God but is geared to the limited human understanding of God. In my database search I found eleven instances where Ibn Ezra uses the saying that the Torah speaks in the language of human beings, all in the same kind of context. So, for example, when Exod. 13:17 says that when they departed Egypt, God took the people away from the land of the Philistines, “lest” they encounter war and return to Egypt, Ibn Ezra comments that God knows the future for certain so the term “lest” is out of place, suggesting God did not know for certain. Ibn Ezra invokes the saying that the Torah speaks in the language of people, and so the Torah presents God’s thoughts as though it were a person thinking how to proceed. The Torah does this so to make the narrative flow in a manner familiar to the reader.

Similar uses of the dictum that the Torah speaks in the language of people occurs in the *Kuzari* of Judah Halevi, 5:27, and in Ibn Pakuda’s, *Hovot* *Halevovot*, *“*The Gate of Oneness,” chapter 10.

9 Yehuda ibn Kuraish, *Epistle*, trans. Moshe Katz (Tel Aviv: Dvir, 1950), 58–59 (Hebrew); my translation.

10 See Shraga Abramson, *R.* *Nissim* *Gaon* (Jerusalem: Makitzei Nirdamim, 1967– 1968), 281 (Hebrew).

11 On Ibn Ezra’s use of this principle, see Amos Funkenstein, “Medieval Exegesis and Historical Consciousness,” in *Perceptions* *of* *Jewish* *History*, ed. Amos Funkenstein (Berkeley: University of California Press, 1993), 88–130, and David Biale, “Exegesis and Philosophy in the Writings of Abraham Ibn Ezra,” *Comitatus:* *A* *Journal* *of* *Medieval* *and* *Renaissance* *Studies* 6 (1974): 43–62.

118 Pa r t I I . m y T he olog ic a l To ol b ox

By far, the medieval champion of the idea of divine accom-modation applied to anthropomorphic language about God was Maimonides. Maimonides, like Ibn Ezra, employed the say-ing that the Torah speaks in the language of people to apply for this purpose, in both his legal work, *Mishneh* *Torah* (*Laws* *of* *the* *Foundations* *of* *the* *Torah*, 1:9 and 1:12), and in his philosophi-cal *Guide* *of* *the* *Perplexed*, where it appears nine times.12 In the *Guide*, Maimonides devotes an entire chapter, 1:26, to this idea. There Maimonides writes of the dictum that the Torah speaks in the language of people as referring to the language of the “multitude”:

The meaning of this is that everything that all men are capable of understanding and representing to themselves at first thought has been ascribed to Him as necessarily belonging to God, may He be exalted. Hence attributes indicating corporeality have been predicated of Him in order to indicate that He, may He be exalted, exists, inasmuch as the multitude cannot at first conceive of any existence save that of a body alone; thus that which is neither a body nor existent in a body does not exist in their opinion.13

Maimonides groups all corporeal language about God in the Bible under the rubric of divine concession. At first, people are unable to comprehend that anything exists unless it is corporeal, so the Torah must speak in that way at the entry level of discourse about God. However, Maimonides goes on in the *Guide* to obligate everyone in his day, even the multitude, to believe that God has no body. Indeed, Maimonides includes that God is not corporeal as an obligatory principle of faith. One way to understand the above passage, then, would be to suppose that for Maimonides ancient Israel at the time of the revelation was unable to think of the existence of something without a body, but the multitudes of his own time

12 See Abraham Nuriel, *Revealed* *and* *Hidden* *in* *Medieval* *Jewish* *Philosophy* (Jerusalem: Magnes, 2000) (Hebrew).

13 Moses Maimonides, *The* *Guide* *of* *the* *Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), 1:56. All references to the *Guide* will be to the Pines translation, by part, chapter, and page number.

C h apt er 6. D i v i ne ac c om mo d at ion 119

were capable of such a comprehension. So the time had come to go beyond that particular divine concession and now obligate everyone to believe that God has no body or bodily features.14

Maimonides writes extensively of the “Sabians,” pagans who observed pagan rights most abhorrent to Maimonides, both intellectually and morally. The influence of Sabian culture had to be combatted by the Torah. So Maimonides can write: “The meaning of many of the laws became clear to me and their causes became known to me through my study of the doctrines, opinions, practices, and cult of the Sabians, as you will hear when I explain the reason for the commandments that are considered to be without cause” (3:29, 518).

Most of the Sabian cult was to be found among the Egyptians, and God wished to “efface this [Sabian] error” (3:30, 523) from the Israelite mind. So, for example, the Sabians taught that if one tree is grafted on to another when the stars are in a certain constellation, the result would flourish. Also, the Sabians planted barley and grapes together for their magical effects. Hence, the Torah prohibits the grafting of one tree on to another and the mixing of grapes with other plants. In other words, these commandments have no intrinsic meaning and do not in themselves contribute to holiness or intellectual perfection. They were necessary concessions to help move the Israelites away from idol worship.

Maimonides holds that “many things in our Law” are due to a person, by his nature being “not capable of abandoning sudden-ly all to which he was accustomed” (3:32, 526). The result is that God engages in a “ruse” in which God compromises with the ul-timate goal of being free of all forms of idol worship. God com-

14 So does Josef Stern understand this passage. See Josef Stern, *The* *Matter* *and* *Form* *of* *Maimonides’* *Guide* (Cambridge, MA: Harvard University Press, 2013), 58. However, in his Hebrew translation of the *Guide*, Michael Schwartz takes Maimonides to be referring in this passage not to the Israelites of long ago but to what people believe at “first thought.” If Maimonides taught that everybody was always to believe in God’s incorporeality, it is hard to see why the Torah should write in a way that people would understand only at first thought; see Michael Schwartz, *Moreh* *Nevuchim* (Tel Aviv: Tel Aviv University Press, 2002), 62.

120 Pa r t I I . m y T he olog ic a l To ol b ox

mands features of an alien service to be transferred to the service of God. Prominently, this applies to the laws pertaining to the tem-ple and to the sacrifices. Since the Israelites were so accustomed to idolatrous worship by way of sacrifices, they could not have been prohibited this form of worship and be expected to serve God in a wholly other way. So, God weans them away from idol worship by fashioning a sacrificial cult shaped to worship of God and not an idol. And God commands sacrifices in a limited manner, limited to one place and to one tribe as oficiators, so as to diminish the centrality of the sacrificial cult. Here we have a paradigm of divine accommodation.

It should follow from this approach that when the need for the divine concession has passed, it should be withdrawn. However, Maimonides does not say so, except in one case I have been able to discover, one, in fact, pertaining to an aspect of sacrifices. “Meat of desire” refers to meat slaughtered to eat and not as a sacrifice. According to the Talmud, the Torah forbade meat of desire in the desert and permitted it only after entry into the land of Israel.15 As to the reason for the prohibition and its retraction, writes Maimonides:

Know that the *meat* *of* *desire* was only forbidden *in* *the* *desert*. For it was one of the generally accepted opinions that the jinn lived in deserts and held converse and appeared there, but did not appear in cities and cultivated places; so that whenever a townsman wished to do something in the ways of this insanity, he had to go from the city to the desert and to isolated places. Therefore the *meat* *of* *desire* became permitted after the entry into the land [of Canaan]. *Also* *because* *indubitably* *the* *strength* *of* *that* *malady* *had* *diminished,* *and* *the* *number* *of* *followers* *of* *those* *opinions* *had* *become* *less* [my emphasis]. Also because it was very dificult and nearly impossible that all those who wished to eat the *meat* *of* *a* [domestic] *beast* should go to *Jerusalem*. For these

15 See Talmud, Yoma 76b, and Bava Kamma 72a.

C h apt er 6. D i v i ne ac c om mo d at ion 121

reasons the *meat* *of* *desire* was only forbidden *in* *the* *desert.*16 (3:46, 587)

Here we have an instance where according to Maimonides a law was legislated only to educate people away from foolish beliefs and behaviors. God accommodates this law to the present condition of the people, even if thereby propagating a law lacking intrinsic worth. When these beliefs and behaviors weakened, the law was no longer of any purpose, so it was revoked. Maimonides might have held that once a law was in place only a divine decree could nullify it. This would be the case here with meat of desire, where the Torah itself revokes the prohibition, but not the case concerning, for example, the sacrificial service itself.

R. Shmuel of Carcassonne (thirteenth century), an admittedly fringe figure, went where Maimonides dared not tread. In his commentary to the *Guide*, he carried Maimonides’s fascination with divine accommodation further than Maimonides ever did. Shmuel wrote that any commandment that was given because of divine accommodation is no longer valid when the historical circumstances no longer require that particular concession: “When the cause disappears the effect no longer will exist, for those generations have passed.”

Shmuel saw history as a progression to higher spiritual understandings. This brought him to another category of divine accommodation: Moses’s performance of miracles. How is it, he asks, that the leadership of Moses is replete with miracles but the great prophets who came later did not perform miracles? Shmuel’s answer is that the generations of the later prophets were on a *higher* (!) level than the generation of Moses! Because of the lowly spiritual level of his time, Moses needed to perform miracles that appealed to the low mentality of his generation. In the times of the prophets, the masses, being of a higher spiritual status, could be reached in a more refined way. Miracles were not needed. The performance of miracles at

16 My thanks to Eliot Sacks for bringing this passage to my attention in this connection.

122 Pa r t I I . m y T he olog ic a l To ol b ox

God’s bidding was an accommodation to the capacities of the people, a crutch, to use Philo’s word. Shmuel sees the history of the Torah as a progressive emergence of higher and higher consciousness, not only by individual masters but also by the masses. Times come when ideas that had their use in the past should be replaced by new ideas. This, he declares, was God’s intention when giving the Torah.17

The dictum that the Torah speaks in the language of people takes a significantly wide turn with Joseph Ibn Kaspi (b. 1280), who comes after Maimonides. In his study of Ibn Kaspi, Isadore Twersky describes how Kaspi takes a “third step” beyond the Talmud and Maimonides and others, in applying “the language of people” to the Torah:18

Kaspi frequently operates with the following exegetical premise: not every Scriptural statement is true in the absolute sense. A statement may be purposely erroneous, reflecting an erroneous view of the masses. We are not dealing merely with an unsophisticated or unrationalized view, but an intentionally, patently false view espoused by the masses and enshrined in Scripture. The view or statement need not be allegorized, merely recognized from what it is.

Many scriptural statements, covered by this plastic rubric, are seen as errors, superstitions, popular conceptions, local mores, folk beliefs, and customs (*minhag* *bene* *‘adam*), statements which reflect the assumptions or projections or behavioral patterns of the people involved rather than an abstract truth. In its Kaspian adaptation, the rabbinic dictum may then be paraphrased as follows: “The Torah expressed things as they were believed or perceived or practiced by the multitude and not as they were in actuality.” [The language of people] is not just a carefully calculated concession to certain shortcomings of the masses, that

17 On R. Shmuel of Carcassonne, see Abraham Melamed, *On* *the* *Shoulders* *of* *Giants* (Ramat Gan: Bar-Ilan University Press, 2003), 153–54 (Hebrew). The quotation is from an unpublished manuscript.

18 Isadore Twersky, “Joseph ibn Kaspi: Portrait of a Medieval Jewish Intellec-tual,” in *Studies* *in* *Medieval* *Jewish* *History* *and* *Literature*, ed. Isadore Twersky (Cambridge, MA: Harvard University Press, 1979), 1:239–42.

C h apt er 6. D i v i ne ac c om mo d at ion 123

is, their inability to think abstractly, but a wholesale adoption of mass views and local customs. (1:239–40)

This approach allows Ibn Kaspi to avoid allegorical interpretation of such passages because he is of the opinion that the Torah does not endorse these passages. They can be left as is. Here are three examples.19 In the story of Rachel, Leah, and the mandrakes (Gen. 30:14–17), there was a common superstition that mandrakes would help one conceive. The story is from this perspective, and the Torah need not be interpreted as endorsing this superstition.20 Another example: The Torah says God commanded the Israelites (Exod. 12:13) to put blood on their doorposts. Ibn Kaspi explains that this was because of the ancient superstition that blood had magical qualities. The Torah does not support this superstition. Another example of the same superstition: In Exod. 4:25, Tzipporah circumcises her son in order to save the life of Moses. She did so thinking blood had magical powers to prevent evil. It does not. In none of these instances are we to take these passages as allegorical.

I jump ahead to the rise of modern science and philosophy, which created problems for the events and ideas recorded in the Torah. The idea of divine accommodation came to be used to resolve such differences. Thus, Joseph Solomon Delmedigo (seventeenth century) wrote:

You should know that prophecies do not come to teach the sciences. Rather, prophecies reflect the imagination of the prophet, not according to the truth as it is to be found. . . . Therefore, one can bring no proof from the words of the Torah to natural science, divine science, or to decide between different philosophical views. For the Torah speaks in the language of people. . . . And even if

19 I have taken these examples, and some of the wording, from Marc Shapiro, “New Writings from R. Kook and Assorted Comments,” *The* *Seforim* *Blog*, February 9, 2011, http://seforim.blogspot.co.il/2011/02/new-writings-from-r-kook-and-assorted.html; see the same blog for these and other sources.

20 Shapiro notes that David Kimchi has a similar comment on the episode, at Gen. 30:14.

124 Pa r t I I . m y T he olog ic a l To ol b ox

the prophets were the foremost philosophers of their times, still prophecy follows the common opinions of the time and the views accepted by the majority.21

Delmedigo says not to look for scientific accuracy in the Torah, for there has been at work in the Torah what I am here calling divine accommodation. The Torah speaks in the language of the current generation.22

Jumping further forward, Rabbi Abraham Isaac Kook endorses the view that the Torah is indifferent to scientific truths and to all academic research, for “it is quite well known that prophecy takes its language [lit. parables] for guiding people from what is commonly accepted in the language of people then, to make the message acceptable to what people can hear at their present time.”23 Rabbi Kook went further than that and argued that divulging some correct scientific beliefs to the masses at the time of the Torah would have been harmful, and so counterindicated. This includes the Torah’s silence on the vastness of the universe and that the earth was round.24 Knowing the vastness of the universe, people would have seen themselves as too insignificant to matter to God in the scheme of things. And had they known of the roundness of the earth, they would have been afraid of falling off!

Nowadays, we know of the vastness of the universe and that the earth is round. So, implicit in R. Kook’s view is recognition that what at one time could not be divulged can be divulged at a later

21 Joseph Solomon Delmedigo, *Mezaref* *la-Hokhmah* (Odessa: Beilinson, 1864), 85–86; my translation. I am thankful to Adiel Kosman for directing me to this source.

22 David Shatz has written a learned article discussing what he calls “biblical concordism,” the view that there is no conflict between what is written in the Torah and natural science. See David Shatz, “Is There Science in the Bible? An Assessment of Biblical Concordism,” *Tradition* 41 (2008): 198–244.

23 Abraham Isaac Kook, *Eder* *Hayakar* (Jerusalem: Mossad Harav Kook, 1967), 37–38. David Shatz brought to my attention this and the following sources from Rabbi Kook’s writings.

24 Abraham Isaac Kook, *Igrot* *Haraaya* I (Jerusalem: Mossad Harav Kook, 1985), 106.

C h apt er 6. D i v i ne ac c om mo d at ion 125

time, when humankind is prepared to absorb the new knowledge in a proper manner. And such changes have taken place since the Torah was given.

Rabbi Kook goes further in order to deny that the historical truth of the story of Adam and Eve is at all relevant to what the Torah has to teach us:

It makes no difference for us if in truth there was in the world an actual Garden of Eden, during which man delighted in an abundance of physical and spiritual good, or if actual existence began from the bottom upward, from the lowest level of being toward its highest . . . We only have to know that there is a real possibility that even if man has risen to a high level, and has been deserving of all honors and pleasures, if he corrupts his ways, he can lose all that he has, and bring harm to himself and to his descendants for many generations. This we learn from the fact of Adam’s existence in the Garden of Eden, his sin, and his expulsion.25

Rabbi Kook also employed the idea of what I am calling divine accommodation to explain some of the commandments. R. Kook borrows language of Ibn Pakuda— “enlightenment of the Torah” and “enlightenment of the intellect”—for the purpose. Enlightenment of the Torah refers to the values one can acquire from observance of the Torah. Enlightenment of the intellect refers to a further advance to a higher morality than that obligated by the Torah. “Intellect” here does not refer to a reasoning process but to a type of intuition that grants knowledge of higher truths. Crucial to R. Kook is that enlightenment of the Torah can involve a lesser moral level, one resulting from divine concession to human limited capacities, while at the same time the Torah points to and readies one for the higher moral awareness to be achieved when human capacities widen.26

25 Ibid., 163; Abraham Isaac Kook, *Rav* *A.* *Y.* *Kook:* *Selected* *Letters*, trans. Zvi Feldman (Maaleh Adumim: Maliot, 1986), 93–94.

26 This and the following paragraphs are based on Abraham Isaac Kook, *Hazon* *Ha-Tzimhonut* *Vi-Hashalom* (Jerusalem: Machon Binyan Hatorah, 2008) (Hebrew). Thisis a pamphlet that originated as part of Abraham Isaac Kook, *Afikim* *BaNegev* (Berlin: Hapeles, 1903).

126 Pa r t I I . m y T he olog ic a l To ol b ox

Adam and Eve were permitted to eat only vegetation. Only from the time of Noah were people allowed to eat meat. For R. Kook this indicates that vegetarianism is a higher level of morality than is the eating of meat. When Noah was permitted meat, this was a divine concession to human deficiency. However, the higher ideal must be kept in consciousness to prepare us for the time when we will be capable of the higher morality in which we will not eat meat. For this purpose the Torah commands us “reminders” of the ideal by the manner in which the concession of meat eating is obligated. So, for example, we are commanded to cover the blood of beast and fowl when we have slaughtered them. This is a “protest” against the slaughter and thus a reminder of the higher ideal by which no animal will be slaughtered. The law of covering the blood is the “enlightening of the Torah” pointing to and advancing us on the way to the “enlightening of the intellect,” where no blood need be covered because we will not slaughter animals.

R. Kook explains several other commandments in terms of divine accommodation and God providing “windows” through them to point to a higher morality, until humanity will be able to achieve a greater understanding. So, milk of an animal belongs to her young, and in principle humans should not be taking it for themselves. Also, as we have seen, in principle no animal should be slaughtered and eaten. Yet, the Torah allows each of these as a divine accommodation to limited human abilities to embody the higher values. Yet, the Torah leaves reminders that what we are doing is less than what absolute morality demands of us. The reminder here is the prohibition to cook a kid and the milk together. In this way we are to know that to eat meat and drink milk at the same meal is not really right. Do them, if you will, separately, but when prohibited to do them together we are reminded of the true morality and are aimed in the true direction.

This quick tour should show suficiently that divine accommodation has a respectable past in Jewish tradition. I am relying on this record not to claim authority for how I will be employing the idea of divine accommodation, but to claim only that my use of it is an extension of what has gone before.

**Part** **III**

**Th** **Is** **Was** **f** **roM** **god**

**Chapter** **7**

**Th** **Is** **Was** **f** **roM** **god**

I am looking at a traditional person with *emunah*, “faith/trust,” in God, a sincere believer in God and in God’s providence, who has come to agree, more or less, with the scientific critique of the historicalaccuracyoftheTorah.Suchaperson,devotedtoGodand the Torah, should not retreat from those cherished beliefs. Rather, I urge that she learn to appreciate the rise of the scientific challenge as an act of Divine Providence itself, a providence directing a long historical process of divine accommodation. Based on what we have seen in the chapters on the theological toolbox, in doing so the believer will be extending extant theological principles onto a new situation that has never before been faced.

For closetotwothousandyears,Ipropose, Divine Providence has been moving us steadily in the direction of an understanding of the divine word free of a commitment to the historical accuracy of those narratives. Divine accommodation to our psychological and cultural need for historical accuracy is being lifted. We are at the threshold of having to emphasize a nonhistorical overlay to the Torah narratives. Divine Providence has orchestrated the rise of serious problems with Torah as history so as to lead us through that threshold. We do not doubt God when we walk through that threshold. We follow God when we go forward: This was from God. For a person of *emunah*, it is hard to see how it could be otherwise.

In accordance with this approach, I urge that we embrace the conviction that it was an act of divine accommodation when in the very first place God made revelation be embodied in historical narratives. That was a supreme instance in which the

C h apt er 7. T h i s Wa s f r om G o d 129

Torah wrote as people spoke (“in the language of the masses”), in the ways people would then relate to God and Torah. That is, in the mode of historical narrative. And it was an act of divine accommodation that the Torah consists of those narratives that peoplestronglybelievedweretruehistoricalnarratives.Whenwe find different versions of the same event, sometimes intertwined with one another, these give place to various beliefs about history by different groups or populations. What people believed to have happened was often the outcome of actual historical events. When this was not the case, the narratives make their way into the Torah in any case. All of this took place under the guiding providence of divine accommodation.

I interrupt here, because an astute reader might protest that if God is leading us to a new understanding of Torah, then apparently we are ascending higher than did previous generations. But, this clashes with the well-accepted principle of the “decline of the generations.” That notion means that as time goes along, the spiritual abilities of each generation decline from what it had been previously. If divine accommodation about history is being lifted now, then that would mean that our future understanding of Torah will somehow be beyond that of our ancestors. And that would imply that the generations are ascending rather than declining.

However, we could accept the principle of the decline of the generations yet also recognize that now we are being called to a new era in our understanding of Torah. We could come to believe that the generations decline to a point that there comes a generation so low in spiritual quality that it requires a new understanding of Torah for its spiritual survival. It would then be precisely the descent of generations driving the need for the new approach to Torah as history.

Yet we need not adopt such a picture of what is happening. I want to point out that although the idea of the decline of generations occurs at several places in the Talmud, and is widely held by Orthodox Jews, it is not universally held by Jewish traditional thinkers. Menachem Kellner has reviewed talmudic passages in which the principle is implicitly not accepted, and he shows good

130 Pa r t I I I . T h i s Wa s f r om G o d

reason to believe that Maimonides did not subscribe to it.1 Kellner argues that Maimonides never heard of this idea of decline. Some other important figures do not afirm this doctrine either.2

In addition, the decline of generations has been explained in ways that are compatible with the idea of a new understanding of Torah because of the waning of its historical validity. I have in mind the teaching of Rabbi Abraham Isaac Kook on this. Rabbi Kook’s position was that the decline of generations pertains only to the decline in the greatness of the rabbinic leaders. At the same time, the masses are ascending as time goes on. This brings us to a time when the masses have less respect for the leaders than they used to have, because of the opposing vectors at work.3 The ascent of the masses comes to, or close to, the level of the rabbinic leaders, who are in decline.

This variance of the idea that the generations decline allows us to appreciate the general greater sophistication and knowledge of at least a good part of humanity compared to what they were in the past. The advances are in abstract thinking, general knowledge, literacy, and the justified rejection of gross, unsophisticated formulations of religious ideas. These advances are greater than at any time in human history. These might be confined to only part of humanity, yet they are wide enough and impressive enough, and in principle able to be made accessible to more of humanity, pointing to a spectrum of generational ascent.

High-level, top-down organizational matrixes, punctuated, especially in the far past, by intrusive revelational moments determine the historical progression of Divine Providence. The lower, “micro” level of observable historical events, where human

1 See Menachem Kellner, *The* *“Decline* *of* *the* *Generations”* *and* *the* *Nature* *of* *Rabbinic* *Authority* (Albany: SUNY Press, 1996).

2 These include Rabbi Yom Tov Lippman Heller and Rabbi Zadok Hakohen of Lublin. For these sources, see Menachem Kellner, “Maimonides on the Decline of the Generations,” in *Hazon* *Nachum*, ed. Yakov Elman and Jeffery S. Gurock (New York: Yeshiva University Press, 1997), 171–72.

3 Abraham Isaac Kook, *Ikvei* *Hatzon* (Jerusalem: Mossad Harav Kook, 1967), 107ff (Hebrew).

C h apt er 7. T h i s Wa s f r om G o d 131

choices and actions are to be found, is funneled, so to speak, into a direction provided by a higher-level divine process, out of sight. The direction need not be univocal, but purposely multivocal: “Both these and these are the words of the living God” (Talmud Eruvin 13a).

There is no strong bifurcation between the divine and the human as causes of the progression. That division is blurred. There may be elements of the Torah there by “chance,” that is, by virtue of having been captured within a divine holistic organizing principle made specific only by human choices. Such chance elements will be there as “micro” elements within a second-order holistic, top-down providence. As such, they are holy.

In days of old, abstract thinking was not suficiently developed in the human species at large for the word of God to be expressed in anything but historical terms, making the word concrete and pictorial. In the *Guide* *of* *the* *Perplexed*, Maimonides echoes a common view in medieval philosophy that concrete biblical language about God was to be translated into philosophical truth about God. And famously, Hegel thought of religion as bound to *Vorstellung*, representational thinking in mental pictures, based on a dichotomy between subject and object and not true to reality. Philosophy prescinds from representations to true abstract, organic nondual thinking, expressed in *Begriff*. Scripture’s representational thinking is its historical presentations. Philosophy expresses the same content in a different form, in *Begriff*.

On my proposal, pictorial historical representations are impor-tant for the religious life for all, and remain indispensable. They are living, vivid pictures. (See Chapter 10 herein.) At the same time, increasingly we are called upon to pass through literal historical understanding to the other side where we reach a different kind of religious understanding. Later I will present my own, Hasidic-mo-tivated thoughts about this, but how we proceed from here should be varied, given serious, responsible, religious deliberation.

Divine Providence has been leading us for centuries from a historical approach to the Torah to an attitude that looks beyond that. In what follows I want to give some of the highlights of that progression within the main line of the history of the Jewish tradition, leaving out, for example, Hellenistic allegorical interpretations by

132 Pa r t I I I . T h i s Wa s f r om G o d

the Jewish Alexandrians. Allegorical interpretation abounds in the rabbinic literature. However, from the fact that a figure allegorizes a narrative we must not quickly conclude that the text is being uprooted from a historical interpretation. The allegorical could be an addition to the historical. There must be reason to think the historical is being uprooted.

Starting with talmudic times, an early break in taking the Hebrew Bible historically appears over the historicity of Job. Both the Palestinian Talmud and a midrash from talmudic times, in Genesis Rabbah, quotes Rabbi Shimon ben Lakish as saying, “Job never was and never will be.”4 The texts then revise the rabbi’s statement to “Job existed, but his suffering did not.” According to the revision, the story told in the book of Job is about a real person, Job, but the story of his suffering is not to be taken historically. We are to understand the story, the Talmud says, as telling us how Job would have reacted had he indeed suffered in the way the Bible narrates. The story of Job does not appear in the Torah, so we cannot extrapolate directly to a Torah story, which would have a greater foundational claim to historicity. Nonetheless, we have here an early willingness to dehistoricize a biblical story in the face of its historical means of presentation.

A talmudic source where we find an early willingness to revise a detail of a story is in the Palestinian Talmud’s discussion of the exact date when the enemy breached the wall of Jerusalem prior to the destruction of the first temple (Taanit 4:5). The Talmud questions the verse in Jer. 39:2, where the prophet puts the date of the breach at the “first day of the month,” apparently referring to the month of Av. The Mishnah had written that this happened on the seventeenth of the month of Tamuz. To this, Rabbi Tanhum bar Hanilai replies that Jeremiah made a “mistake in determining” the date. The breach did not take place on the date Jeremiah thought. The Talmud then passes on to a dificult verse, Ezek. 26:1, where the prophet fixes the date of the destruction of the temple at the “first day of the month.” According to the Mishnah, this did not happen until the ninth of

4 See Palestinian Talmud, Sotah, chap. 5, sec. 6; and Genesis Rabbah, sec. 57:4.

C h apt er 7. T h i s Wa s f r om G o d 133

the month of Av. Once again Rabbi Tanhum bar Hanilai replies that the prophet, this time Ezekiel, made a “mistake in determining” the date, this time of the destruction.

This source, again, is not in the Torah, and pertains to a detail only, but it does constitute a departure from a strict historical understanding of the Hebrew Bible. I wish to clarify that I am not advancing a simpleminded argument, enlisting the authority of the quoted rabbis for my proposal. I am not saying that if they could take a nonhistorical approach to these texts, then we can do so about history and the Torah. Nothing of that sort follows, and I am not citing these rabbis as authorities for my case. My purpose is to set out a chronological line of Divine Providence developing a nonhistorical understanding of traditional Jewish texts, leading up to the present moment when our understanding is now to reach a different way of seeing. With the rabbis we start with a hint of what was to come, a mere crack in the hermetical historical consciousness.

An especially instructive rabbinic pronouncement concerns the historical pretensions of the book of Chronicles. One version is from an early midrashic collection, Leviticus Rabbah 1:3: “Rabbi Simon in the name of Rabbi Joshua ben Levi, and Rabbi Hama, father of Rabbi Hoshaiah in the name of Rab [said]: The Book of Chronicles was given only for the purpose of exegetical homiletics.” This midrash takes the book of Chronicles out of the realm of historical accuracy by declaring that its purpose is not to provide historical facts but only to provide material for homiletic expositions. Here we have a clear case where a biblical book wears a clearly historical face, yet it is made to disown its historical accuracy. The reason for this remarkable statement becomes immediately clear in the continuation of the above declaration. The midrash identifies a woman named “Jehudiah,” mentioned in 1 Chron. 4:18, as Jocheved, the mother of Moses. This is because in the previous verse she is said to be the mother of Miriam. Yet, Jocheved was not from the tribe of Judah, but from the tribe of Levi, so why should she have the name “Jehudiah”? Recognizing a historical inaccuracy, the section must be interpreted homiletically. The midrash goes on to provide a homiletic exposition about Jocheved and Moses.

134 Pa r t I I I . T h i s Wa s f r om G o d

According to this sage, the historical reading of the relevant verses drops away in favor of a homiletic replacement.5 This is distinct from the usual practice of adding an exegetical layer onto the historical reading of a text.

I move on to the demotion of the historical that surfaced in medieval Jewish philosophy. Saadia Gaon, Judah Halevi, Maimonides, and Gersonides all declared that nothing in the Torah could be clearly refuted by solid sources. If it seemed to be so, the text would have to be interpreted in a way other than in its plain/ external meaning. Saadia listed four reasons for taking biblical language out of its plain/external meaning: if contradicted by the senses, by reason, by another clear text against the plain meaning, and if a reliable tradition requires a different understanding.6 This method of interpretation would presumably be applicable to historical issues, but we cannot know to what extent that would be so for Saadia.

I concentrate here on Maimonides, the leading figure of the period, who represents well the tendency to demote the literal-historical understanding of the Torah in favor of the philosophical. This emerges in that Maimonides offers allegorical interpretations of some biblical passages, most famously of the story of Adam and Eve in the garden of Eden, and relegates other passages to the realm of visions and dreams, rather than actual historical events. In the Middle Ages, Maimonides was often understood to be allegorizing reported events away from their historical interpretation. This

5 Another version appears in the Babylonian Talmud, where we find this puzzling statement: “When Rabbi Simon ben Pazi began to expound on Chronicles he said [to it], ‘All of your words are one, and we know how to interpret them.’” Rashi, the medieval commentator, explains this to mean that there are many names in Chronicles, but they all refer to one person. I doubt that this means that the whole of Chronicles is supposed to refer to one person, rather than the verses of 1 Chron. 4:18ff, as expounded in the next lines of the Talmud. A medieval midrash, *Yalkut* *Shim’oni*, has perhaps a more plausible version of the same statement from Rabbi Simon ben Pazi, with “All of your words are *perplexing*.”

6 See Saadya Gaon, *The* *Book* *of* *Doctrines* *and* *Beliefs*, ed. and trans. Alexander Altmann (Oxford: East and West Library, 1946), 157–58.

C h apt er 7. T h i s Wa s f r om G o d 135

included removing Cain and Abel from history. Whether or not these interpretations are ever meant to replace the literal-historical, there is no doubt that the latter depreciate in value in the face of inner, philosophical teachings that Maimonides exposes.

In the *Guide* 2:30, Maimonides rejects the literal interpretation of the garden of Eden as a physical place, but he says Adam’s place there and later expulsion represent his higher intellectual state in Eden, and then a lower state after expulsion. The serpent is none other than Satan, who entices to sin. Various oblique references in that chapter show that Maimonides took the story to be part of the creation of nature, in this case human nature, and is not to be taken as a story about any individuals, Adam and Eve, at some point after creation. It is a parable about the potential intellectual perfection of humankind and what hampers that potential from realization. Furthermore, in *Guide* 1:17, Maimonides parabolizes Adam and Eve’s children, in 1:54 turns the revelation to Moses in “the cleft of the rock” into a parable about governance, and in 3:8 provides a parabolic interpretation of “women” as having to do with sublunary physics.7

However, to suppose that the parabolic interpretation of Adam and Eve comes to replace the literal seems to contradict what Maimonides says in *Guide* 3:50: “As it is a pillar of the Law that the world was produced in time, that at first a single individual of the human species, namely Adam, was created.” This seems to clearly state that one must believe the story of Adam to be an actual historical event. Now, it might be that there is no contradiction between the two, for it might be that Maimonides thought, on the one hand, that Adam was a real person and that only the story about him was parabolic. Yet, a more plausible rendering of *Guide* 3:50 comes from seeing that Maimonides is grouping the Adam

7 On parables in the *Guide* *of* *the* *Perplexed*, see Sara Klein-Braslavy, “Bible Commentary,” in *The* *Cambridge* *Companion* *to* *Maimonides*, ed. Ken Seeskin (Cambridge: Cambridge University Press, 2005), 245–72, and Josef Stern, *The* *Matter* *and* *Form* *of* *Maimonides’* *Guide* (Cambridge, MA: Harvard University Press, 2013). As in the last chapter, all references to the *Guide* are from the Pines translation: Moses Maimonides, *The* *Guide* *of* *the* *Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963).

136 Pa r t I I I . T h i s Wa s f r om G o d

story with the story of the creation of the world as “pillars of the Law.” Although some Maimonides scholars, prominently Kenneth Seeskin, hold that Maimonides endorsed creation from nothing, other Maimonides scholars, prominently Herbert Davidson and Tamar Rudavsky, hold that Maimonides’s real position on creation is the Platonic one, that God gave shape and order to preexisting matter.8 Still others maintain that Maimonides remained a skeptic on the ability to know the truth about creation, unable to decide among Plato’s version, creation from nothing, or Aristotle’s idea that the world has existed as is from all eternity.9 Either way, on this approach, Maimonides was committed to creation in time only as “necessary” for the masses to adhere to the religion. Then it would be only in *this* sense that creation is a “pillar of the Law.” But then the same may be said of the Adam story, which is paired here with creation: it may be necessary for the masses to believe it true, but it is not a true story, really. So, Maimonides’s true position on the story of the garden of Eden would be that it is a parable only.

Be that as it may, Maimonides explicitly relegates to the realm of visions and dreams what otherwise would be actual historical events. Maimonides assigns events in which an angel is seen or speaks to a person or God speaks to a person to dreams and visions (*Guide* 2:41, 368; and 2:42, 388). Accordingly, a number of events recorded in the Torah as prima facie historical turn out not to be so. These include the following: (from *Guide* 2:42) The entire story of the three men who come to visit Abraham at Elon Mamrei,

8 See Kenneth Seeskin, *Maimonides* *on* *the* *Origin* *of* *the* *World* (Cambridge: Cambridge University Press, 2005), Herbert Davidson, “Maimonides’ Secret Position on Creation,” in *Studies* *in* *Jewish* *History* *and* *Literature*, ed. Isadore Twersky (Cambridge, MA: Harvard University Press, 1979), 16–40, and Tama Rudavsky, *Maimonides* (Chichester: John Wiley, 2010), 73–74.

9 Sara Klein-Braslavy, “Maimonides’ Exoteric and Esoteric Biblical Interpretations,” in *Study* *and* *Knowledge* *in* *Jewish* *Thought*, ed. Howard Kreisel (Beersheba: Ben-Gurion University of the Negev Press, 2006), 136–64. See also Sara Klein-Braslavy, *Maimonides* *as* *Biblical* *Interpreter* (Boston: Academic Studies Press, 2011).

C h apt er 7. T h i s Wa s f r om G o d 137

whom the tradition deems to have been angels (Gen. 18:1); the entire story of Esau meeting Jacob, Jacob sending messengers, Jacob sending off the others and remaining alone, and Jacob wrestling with a man when alone (Gen. 32:25); “likewise, the whole story of Balaam on the way” in Num. 22, including the talking ass and the angel who blocks the way. Since an angel appears in the story of the binding of Isaac, some have held that for Maimonides that too occurred in a prophetic vision only.10 Avraham Nuriel has argued strongly for Maimonides understanding the entire *Akedah* story (the binding of Isaac by Abraham) as having occurred only in a prophetic vision, because of the appearance there of an angel.11 But that is a controversial attribution. Far from any of these stories involving real miraculous happenings, such as an angel appearing on earth or an ass speaking, they are in fact in dreams or visions.12

I move on to the kabbalistic literature of the Middle Ages. The Kabbalah in its various instantiations sets itself the task of translating the Torah into a discourse about a realm made up of spiritual worlds, sefirot, faces, lights, vessels, and the like. It speaks of emanations, breakings, and mending, all taking place in supernal worlds. These translations take the Torah text far from its literal, historical meaning. In their kabbalistic exegeses, “Noah” is not only

10 David Bakan, Daniel Murker, and David S. Weiss, *Maimonides’* *Cure* *of* *Souls:* *Medieval* *Precursor* *of* *Psychoanalysis* (Albany: SUNY Press, 2009), chap. 3, where this is argued extensively.

11 Avraham Nuriel, “Maimonides on Parables Not Explicitly Defined as Such,” *Daat* 25 (1990): 85–91 (Hebrew). Abarbanel took Ibn Kaspi to maintain that the *Akedah* never happened in reality, and he objected strongly to his attributing such a view to Maimonides. See James Diamond, “Abarbanel’s Exegetical Subversion of Maimonides’ ’Aqedah: Transforming a Knight of Intellectual Virtue into a Knight of Existential Faith,” in *The* *Hebrew* *Bible* *in* *Fifteenth-Century* *Spain:* *Exegesis,* *Literature,* *Philosophy* *and* *the* *Arts*, ed. J. Decter and A. Prats (Leiden: Brill, 2012), 97; reprinted in James Diamond, *Maimonides* *and* *the* *Shaping* *of* *the* *Jewish* *Canon* (Cambridge: Cambridge University Press, 2014).

12 I have never understood why anybody would think that hearing an ass speak to you is something miraculous.

138 Pa r t I I I . T h i s Wa s f r om G o d

Noah, “Abraham” is not only Abraham, and “Sarah” is not only Sarah. They are also supernal entities and their actions supernal processes.

But from this alone we must not assume that the Kabbalah means to deny the historical. It might be just that the Kabbalah is doing no more than offering an overlay to the historical ground to the meaning of the Scriptures. Then the Kabbalah would be following the usual rabbinic mode of adding homiletics to historical passages. What is significant for us here, though, is the great importance placed on the kabbalistic expositions relative to the demotion of the historical content. This constitutes a significant departure from the centrality of the historical.

The demotion of the historical appears explicitly in the Zohar, the central work of Kabbalah. The Zohar says:

Rabbi Shimon said: Woe to the person who says that the Torah comes to tell commonplace stories and the words of ordinary people. If that were true, then even in our days we could make a Torah of the words of ordinary people, even better than those of the Torah. If the Torah came to tell of history, then even among the world’s rulers there are those who have better things to tell. If so, we should follow them and make a Torah of them, in the same way. Rather, all the words of the Torah are supernal matters and supreme secrets. (Zohar 3:152)

Here we have a strong demotion of the importance of history in the Torah. The Zohar continues a few lines down:

The Torah story is the clothing of the Torah. A person who thinks that the clothing is the Torah itself and there is nothing more, will be destroyed and not merit the World to Come.

These are strong words. The Zohar goes on to say:

The fools look only at the clothing, which are the stories in the Torah. . . . Those who know more do not look at the clothing but at the body beneath the clothing. . . . But the wise, servants of the supreme king that stood at Sinai, they look only at the soul, which is the most important of all. In Time to Come, they will see the soul of the soul.

C h apt er 7. T h i s Wa s f r om G o d 139

The most radical statement in the Zohar comes when it continues with the following declaration:

Woe to the wicked who say the Torah is no more than prosaic stories. They look only at the clothing and no more. Happy are the saintly that look at and ponder the Torah as is fitting. Wine needs a flask to hold it. In the same way the Torah is contained in this clothing [of the stories]. *Therefore,* *there* *is* *no* *need* *to* *look* *at* *anything* *other* *than* *what* *is* *below* *the* *clothing*. (my emphasis)

Here we have, to say the least, a serious devaluing of the his-torical dimension of the Torah. The historical loses its importance altogether to the wise and saintly who “look only” at the soul, which is beyond the historical. However, we should not conclude necessarily from the above that the Zohar means to reject the truth of the Torah stories, rather than provide interpretations that overshadow the historical. Ultimately the stories are not there for their own sake, but for the sake of the hidden secrets they convey.

There are in the Zohar two passages (that I know of) of special relevance to my project. In the first, we have what seems to indicate that there is a geographical reference in the book of Isaiah that has no physical referent. In the second, we have the same for a reference in the Torah. In both cases, because these references lack historical referents it is gathered that the referring terms appear in the Torah to instruct us to propound nonliteral interpretations *in* *place* *of* the literal.

Here is the first passage:

Said Rabbi Abba: “My beloved had a vineyard in Keren Ben-Shemen” (Isaiah 5:1). I have searched in the entire Torah and found no place named Keren Ben-Shemen. But, these verses [in Isaiah] our group explained in various Midrashim in a number of ways. (Zohar 1:96a)

In the second, Gen. 38:14 tells us that when Tamar wanted Judah to come across her on the way, she went and sat at “The Entrance to Enayim.” To this the same Rabbi Abba comments:

I have searched the entire Torah and have found no place called “The Entrance to Enayim.” But all [of this story] is closed and it is secrets within secrets. (Zohar 3:71b)

140 Pa r t I I I . T h i s Wa s f r om G o d

There follows an elaborate mystical interpretation of the entire Tamar story. In both passages, the implication is that since the geographical terms occur no place else, they must be *other* than literal and are there to point us to nongeographical, spiritual possibilities of understanding the place names. If a geographical name fails to match any actual geographical place, then know that you are being told to look for the meaning elsewhere. These passages unwittingly point ahead to a time when we find several references and descriptions in the Torah that do not seem to match historical reality. The direction to take is then clear, for the Zohar.

A twentieth-century kabbalist and kabbalistic philosopher, Rabbi Yehuda Ashlag (1885–1954) gives a history of the revelation of Torah that matches the Zoharic demotion of the importance of the historically literal. In the following, Rabbi Ashlag sees the external, historical dimension in the revelation of the Torah to have been a divine accommodation, as opposed to the spiritual, which is the internal meaning:

The interior of the Torah, which is the secret part, was revealed already before the giving of the Torah. . . . However, before the giving of the Torah, the Torah was revealed only to exceptional individuals, for the Torah shined only with regard to its interior [meaning]. But with the giving of the Torah . . . the Torah spread to every individual of the holy nation, so that even the lowest of the lowest had a part in the Torah.13

This is a striking transposition of the usual understanding of esoteric interpretations of the Torah. According to the usual understanding, the literal Torah with its historical setting is the foundational text of Judaism, while the kabbalistic interpretations are but an overlay (or underlay) onto that. Here, the historical narratives of the Torah turn out to be an overlay onto what is the true foundation of Judaism, namely, the nonhistorical teachings. The historical narratives came

13 Yehuda Ashlag, “Preliminary Introduction to the Book of the Zohar,” in *Introductions* *to* *the* *Wisdom* *of* *the* *Truth*, ed. R. Yehuda Ashlag (Telstone: Or Baruch Shalom, 2013), 2:523 (Hebrew).

C h apt er 7. T h i s Wa s f r om G o d 141

to be so that everyone could gain some understanding of the Torah (*Vorstellung*?), added on at a later time to the original, esoteric Torah (*Begriff*?). This passage of Rabbi Ashlag carries us further in the downgrading of the historical for kabbalistic thinkers.

In our days, there are indeed some traditional kabbalists that contend that the events the Torah records never happened in fact, and that the Torah is entirely aimed at the kabbalistic teachings. This view carries the kabbalistic tendency to downgrade the historical to its final conclusion. To such people the foundational texts of Judaism are the kabbalistic teachings. Of the Torah it can be said, paraphrasing what some rabbis said of Chronicles: “The Torah narratives exist only for the purpose of exegetical homiletics.” The Torah serves a container for, and exists for the sake of, the Kabbalah.14 When we come to movements in modern times, a mainstream demotion of the historical occurs prominently in the Hasidic movement. We may assume that the Hasidim had no intention of denying the historical dimension of the Torah, but generally speaking the historical did not very much interest them. This relative disinterest in history runs through the variations in schools

of Hasidic teachings.

In the first Hasidic book ever published, R. Yaakov Yosef of Polnoye laid down a principle, attributed to Rabbi Israel Baal Shem Tov, his teacher and the founder of Hasidism, which was followed in the coming generations of Hasidism. The principle, let’s call it the “Principle of the Mutable Eternity of the Torah,” states that the Torah is eternal, and *therefore* that the Torah must speak directly to each era, as needed.15 Each *mitzvah*, “commandment,” is, as he puts it, “in every person.”16 So, every person in every generation must have a way to perform every commandment, even if he cannot perform it as literally prescribed.

14 I have learned this through discussing these matters with a Hasidic/kabbalistic rebbe, who wishes to remain anonymous.

15 Yaakov Yosef of Polnoye, *Toldot* *Yaakov* *Yosef* (Jerusalem: Agudat Bet Vialifali, 1976–1977), 7 et passim*.*

16 Ibid., 8.

142 Pa r t I I I . T h i s Wa s f r om G o d

The idea is not simply that people are to take the literal/ historical content and see how that might be *relevant* to their lives. The idea is not to take the story of Noah and the ark to teach a lesson about saving endangered species, or the story of Moses to teach about what a good leader should be. This is not speaking directly to us. For R. Yaakov Yosef and the Hasidim, this principle means that the very linguistic meaning itself can vary from one period of time to another, in order to speak to the spiritual needs of each era. The Torah is eternal, because eternally semantically flexible. Even though the Torah has textual *immutability*, it has *mutability* of linguistic meaning.

For the Hasidim, successive linguistic meanings do not nullify and replace former meanings, but they are added on to former ones. Thus, if a Hasidic master interprets the commandment of destroying Amalek as referring to the annihilation of the Evil Inclination within oneself, as does, for example, Rabbi Elimelech of Lizansk, he does not wish to deny the prior layer, which means to command the destruction of a historical tribe of human beings. The point is, rather, that the verse must now have a new, and different, meaning that it did not have earlier. It is now, to us, not about an ancient tribe that attacked the Israelites. It is about the Evil Inclination attacking a contemporary Jew. The masters were not willing to leave new interpretations in the hands of just anyone, though. Instead, they assumed that a degree of saintliness and leadership was requisite for being qualified to promulgate new meanings for each age.

The Hasidim widely applied this Principle of Mutable Eternity to the narrative portions of the Torah. For example, the Magid of Mezritch writes that the story of the capture of the women of Midian (Num. 31:9) must exist for every person at every time, “since the Torah is eternal for every generation.”17 So he proceeds to offer a semantic revision of the story to produce a new intent for his times and his followers, an intent entirely unrelated to the previous meaning. And, for another example, R. Yaakov Yosef does the same

17 Rabbi Dovber of Mezritch, *Magid* *D’Varav* *L’Yaakov* (Jerusalem: Magnes, 1990– 1991), 13.

C h apt er 7. T h i s Wa s f r om G o d 143

for the story of the confrontation between Jacob and Esau, when Jacob sends gifts to his brother. He does this because “the Torah is called ‘perfect,’ and is eternal.”18 So, for us in our day it cannot be read as about two ancient figures—it must be about us, today. Neither of these examples involves mere homiletic comments on a received meaning. Both maintain text eternity with newly created semantic mutability. The text remains the same, but the linguistic meaning can change.

R. Yaakov Yosef applied his Principle of Mutable Eternity to the legal material of the Bible also. But here, too, the new meanings were never taken to replace the old ones, only to supplement them. Thus, he did not void legal precedents in Jewish law. For example, the rabbi would ask how nowadays one could fulfill a law the fulfillment of which depended on the existence of the Temple. Since the Torah was eternal, there simply must be a way of fulfilling all laws even today. He then would supply a substitute act that nowadays fulfilled the original law. The rabbi always means his answer to be consistent with belief in the rebuilding of the Temple and the return of the law’s original form. Thus, the new understanding is supplemental, not replacing. For these rabbis, because the Torah is the focus of the religious life, yielding new understandings for every generation, the historical recedes to the background.

On the theology I am presenting here, in retrospect, pondering the contemporary challenge to Torah as history, it could occur to us to believe that in the first place it was divine accommodation that provided God’s revelation in historical narratives. Divine Providence is now at work lifting the requirement to believe the historical dependability of the Torah. I would like to think of the Jewish people, and with them humanity at large, as living in a transformational era. We are entering a new age, gradually, fragmentally, and, I hope, responsibly, being called upon to recognize that the undermining of the historical reliability of the Torah is the culmination of millennia of gradual divine guidance away from the centrality of the historical.

18 Yaakov Yosef of Polnoye, *Toldot* *Yaakov* *Yoseph*, 90.

144 Pa r t I I I . T h i s Wa s f r om G o d

This was from God.

The providential hand of God in all of this may be considered an “ongoing revelation” that works through occasional divine intervention, not necessarily detectable, and through the shaping of history by a background of higher-level constraints and organizing principles. God guides the direction and the outcomes in the way that I guided my cake baking of a few chapters back.

**Objections**

Objection 1. I have surveyed a developing downgrading of the historical understanding of the Torah among Jewish exegetes. But this trend was matched by impressive opposing interpretive traditions, ones that focused strongly on the plain, historical meaning. Indeed, there were explicit rejections of allegorical philosophical and esoteric kabbalistic interpretations of the Torah. Famously, for example, the sages of Barcelona issued edicts against the philosophers and their parabolic interpretations, which were “spreading like a plague.”19 Later, Elijah Delmedigo strongly attacked the Kabbalah, and Jacob Emden rejected much of the Zohar.20 In addition, Hasidism has had significant vociferous disparagers until this very day.21 And today Orthodox Jews are overwhelmingly insisting on historical inerrancy. How can I simply ignore all of that and focus only on those who downgraded the plain/historical meaning?

Reply to Objection 1. The objection is correct in pointing out that the history of nonhistorical interpretation in traditional Judaism is uneven, between supporters and antagonists, with the

19 See H. Z. Dimitrovsky, ed., *Responsa* *of* *Rabbi* *Shlomo* *ben* *Aderet* (Jerusalem: Mossad Harav Kook, 1990–1991), pt. 1, responsa 415–17.

20 In *Sefer* *Behinat* *Hadat* *of* *Elijah* *Del-Medigo*, critical edition with introduction, notes, and commentary by Jacob Joshua Ross (Tel Aviv: Chaim Rosenberg School of Jewish Studies, 1984) (Hebrew). See Jacob Emden, *Sefer* *Mitpahat* *Sefarim* (Jerusalem: Sifriat Mekorot, 1995) (Hebrew)

21 For the early history of antagonism to Hasidism, see Immanuel Etkes, *The* *Gaon* *of* *Vilna:* *The* *Man* *and* *His* *Image*, trans. Jeffrey Green (Berkeley: University of California Press, 2002), chaps. 3–5.

C h apt er 7. T h i s Wa s f r om G o d 145

latter perhaps in the majority. Although there have been influential movements that have taken nonhistorical interpretation as their preference, others have stayed in the historical and denounced the excesses of the others, or denounced them altogether. Indeed, I am not arguing that the tradition has been unanimous on this. I write for people who have been influenced, nay, convinced, by the developments of biblical studies, archeology, and the various sciences that the historical reliability of the Torah is open to doubt, or more. What I want to argue is that adding those new scholarly developments to the picture, we can then get a new perspective on the Jewish history of nonhistorical interpretation of the Torah. What I offer is a cumulative case for the thesis that Divine Providence has been at work for a long time preparing us for this time when the tipping point is being reached to a different way of understanding the Torah. If one accepts the consequences of contemporary scholarship, then one is in a position to look back and see the history of nonhistorical exegesis in a new light.

Accordingly, we can attribute resistance to the nonhistorical in the past, in part, to the dificulty of going along with what was emerging. This was because of, in addition to sheer faith, partly the lack of hard external data pushing in that direction and partly the natural conservatism of the religious body. Admittedly, a person who does deny the validity of the challenge to the historical in the Torah will have no reason to interpret the history of nonhistorical interpretation as a long preparation for the tipping point.

Objection 2. The history of Jewish biblical exegesis must be studied alongside Christian and Islamic developments. They all had influences on one another, and you can see parallels between them in the same periods of time.22 Far from the nonliteral interpretations having been guided by God, they are the result of complex historical influences and adoption across cultures. So, that Divine Providence was at work is not an acceptable understanding of that piece of exegetical history.

22 On this, see Natalie Dohrmann and David Stern, eds., *BiblicalInterpretation* *and* *Cultural* *Exchange:* *Comparative* *Exegesis* *in* *Context* (Philadelphia: University of Pennsylvania Press, 2008).

146 Pa r t I I I . T h i s Wa s f r om G o d

Reply to Objection 2. This objection takes too narrow a view of Divine Providence. First, it supposes that Divine Providence guiding a Jewish matter must be visibly isolated and insulated from anything that happens in non-Jewish cultures. So, this objection cannot see what happens among the Jews as being influenced by Christian or Islamic turns of events, if divinely guided. Thus, the guidance of Judaism to the nonhistorical by God must be entirely separate from what happens in parallel cultures. Second, this objection takes the idea of Providence as much too directly involved in just “making” things happen.

Recall my discussion of moderate divine providence. There I proposed that moderate divine providence functions in two ways: as intervention and as top-down causality. In neither case must we think of God simply making things happen openly. Top-down causality works at a high level of generality, giving broad shape to events by imposing skeletal structures and boundary conditions. That kind of process can involve divine intervention when needed. When I pour the flour into the bowel, sometimes the flour gets a bit stuck and won’t pour out. I need to shake the bag a bit. So I give the bag a bit of a shake. In that way, events increasingly come to approximate divine intentions without necessarily interfering with human free will. Both intervention through a butterfly-like effect and top-down causal Divine Providence work over a broad expanse of human reality.23 Since human reality is so made up of mutual influences and borrowings, Divine Providence will work through these in a broad way, perhaps slowly and ploddingly. Hence, there is no inconsistency between Jewish exegetical history being influenced by Christian and Islamic exegesis and Jewish exegetical history being a result of Divine Providence. I might add that since there is Divine Providence over all of humanity, we should expect the overlapping of higher providential levels and congruence

23 In the butterfly effect, a very small change in initial conditions can result in a process that issues in a wide and large effect well down the line. God intervening in the natural order does not mean necessarily that God intervenes to make something happen directly. God can intervene by causing a very small change that will result in a big change further down the line.

C h apt er 7. T h i s Wa s f r om G o d 147

between them rather than an isolated providence for Jewish history.

The mistake in this objection is similar to the one made when a person argues from the fact of neo-Darwinian evolution to the conclusion that evolution was *not* guided by God. This is the approach of the “new atheists.” For example, Sahotra Sarkar argues not only that because of evolution one cannot *prove* design, but also that evolution proves that there was *no* design. Echoing other authors, Sarkar writes, “The theological and metaphysical force of the theory of evolution by natural selection comes from the blindness of variation.”24

There are a few problems here. Strictly speaking, no scientific theory can establish that a series of events did *not* occur from divine guidance. The most it can establish is that with regard to *natural* regularities and *natural* explanations the series was blind. Let’s call this “natural blindness.” But from natural blindness metaphysical blindness does not follow. Unless, that is, one is a biblical fundamentalist about God’s creative and guiding powers. If one is of that type, she might think of God having to act on the world by God saying, “Let there be species,” and there were species, much as God said, “Let there be light!” and there was light. What a theist should have learned from modern science, and especially from evolution, is that God need not, and often does not, act in that way. Only if we believe that X happens from divine guidance *only* *if* X happens “directly” by God’s will, will we be stymied by gradual evolution. The inference from evolution by natural means to metaphysical blindness is a judgment about God and evolution, not a valid inference.

Natural blindness on the micro level is consistent with Divine Providence on the macro level. This is because we are talking here about *moderate* providence, which, generally speaking, might provide only a broad framework within which microevents occur.

24 Sahotra Sarkar, *Doubting* *Darwin?* *Creationist* *Designs* *on* *Evolution* (Oxford: Wiley-Blackwell, 2007), 48. This is also the view of Richard Dawkins in *The* *God* *Delusion* (Boston: Houghton Miflin, 2006). I have replied to this position in Jerome Gellman, “Dawkins against God,” *Philo* 11 (2008): 193–202.

148 Pa r t I I I . T h i s Wa s f r om G o d

The framework provides the outer contours the shape of which the processes must take. This is like sugar passed through a funnel. The funnel does not determine the micropath of any granule of sugar at any time, yet it provides that the granule will end up somewhere in the bowl. The points a given granule passes through can be entirely a matter of chance, or blind, in the sense that no natural laws are involved in determining that path, and that if the sugar were to be put back in the funnel with the original arrangement of the granules, the path of our granule might be very different from what it was in fact. Yet, that does nothing to diminish the guidance by the funnel of the granule to its ultimate destination. That the history of Jewish biblical exegesis is intertwined with that of exegesis in other religions does nothing to rule out Divine Providence over that history.

A more serious objection is that my reasoning in favor of Divine Providence guiding to a new era of understanding of the Torah can be matched by reasoning to the effect that Divine Providence has been guiding Jews to liberal Judaism, that is, to a Judaism that abandons Jewish ritual law as outdated and no longer valid. After all, among Jews for hundreds of years there has been a gradual abandonment of ritual observance according to Jewish law. Famously, Reform Judaism arose precisely on such a platform. Could not Reform Judaism employ the same kind of reasoning I use in order to argue for a nullification of ritual law? If my line of reasoning is acceptable, so should be a line of reasoning that carries us away from traditional Judaism altogether.

I defer taking up my response to this kind of objection until Chapter 10. There I will be taking up the topic of why in principle, leaving details aside, one should continue to observe the commandments and Jewish law in the new situation. The reader is invited to peek ahead. In the meantime, I must move from the theology of “This was from God,” to address the larger theological subject of Torah from heaven.

**Chapter** **8**

**Tor** **a** **h** **f** **roM** **he** **av** **e** **n**

The idea that the scientific critique of the historicity of the Torah is from God, through Providence and accommodation, leads us to a corresponding understanding of the idea of “Torah from heaven.”1 As I have written in the Introduction, within the requirements of this book, a theology must retain a metaphysical, realist conception of God, one in which God exists independently of being an object of our thought and in which God is active in the world. It also should retain as much as possible a traditional sense of the Torah “coming from God,” adjusted to the new situation.

The “generic” belief that Torah is from heaven does not stand alone. It stands together with the generic belief that the continued existence of the Jewish people is from heaven.2 And it goes together with the generic belief that the forms of Jewish life as lived through the ages, without romanticizing it, with all their dificulties and human shortcomings, are from heaven. And it stands with the generic belief that the rabbinic and later teachings are from heaven. This compound generic belief stands as the faith conviction of a traditional Jew.

One looks at the continuous history of the Jewish people, at the history of Jewish life and Jewish culture, at the Torah we have in our hands, and to the transcendent values to which it aims, and at the

1 In the past, I presented a different approach to Torah from heaven than the one I present here. See Jerome Gellman, “Wellhausen and the Hasidim,” *Modern* *Judaism* 26 (2006): 193–207.

2 At this point, I want to remind the reader that we are bracketing the problem of evil. See the beginning of Chapter 5. With all of the suffering of the Jewish people, or because of it, their continued existence is part of a colossal miracle.

150 Pa r t I I I . T h i s Wa s f r om G o d

colossal body of Jewish religious writings, at talmudic/midrashic literature as *sui* *generis*, and at the richness and power of thought that follows. And, after all of the naturalistic, scientific and learned explanations have been given, and much of them acknowledged and accepted, one cannot help but say that somehow, in some way, “This was from God.” It is all one huge miracle, one whose existence points to a transcendent reality above and beyond. Nothing is really explained until that judgment is formed.

That conviction may be infused by Martin Buber’s notion of a miracle as involving abiding wonderment after all the naturalistic explanations have been duly recognized.3 Or, it may be an intellectual conviction after considering the alternatives and deciding that the only thing that makes good sense is to see God as the ultimate agent, in a special way. Or the conviction may come from experiencing in one’s daily life, the Jewish people, the Torah, and the rest, as being from God, and experiencing an intimate closeness to God.4

I have written of the “generic” belief that Torah is from heaven, and that is because there will be different ways of unpacking just to what that comes. We have to deal now with a new situation for Torah as history )and with perceived moral issues with the Torah and rabbinic literature(. My proposal for “Torah from heaven” follows directly from the way I treated the problem of history in the previous chapter. In light of the relevant scholarly findings, the best way to understand how the Torah came to be is through moderate

3 See Martin Buber, “The Wonder on the Sea,” in *Moses,* *The* *Revelation* *and* *the* *Content*, ed. Martin Buber (New York: Harper & Row, 1946), 74–79.

4 The astute reader at this point may well ask: If a Jew can rely on such a conclusion, then why can’t a Christian rely on her conviction that the church is somehow from God, and the Muslim that the Koran is from heaven? And if so, what evidential value can any of these contradictory beliefs have based on such considerations? The issues here fall beyond the scope of the present work. They have to do with the “right” of a person to maintain her belief when opposed by counterbeliefs held by people who appear to be her equal in ability to find the truth. I refer you to Jerome Gellman, “In Defense of a Contented Exclusivist,” *Religious* *Studies* 36 (2000): 401–17. See also Alvin Plantinga, “Pluralism: A Defense of Religious Exclusivism,” in *The* *Philosophical* *Challenge* *of* *Religious* *Diversity*, ed. K. Meeker and P. Quinn (New York: Oxford University Press, 2000), 172–92.

C h apt er 8. Tor a h f r om He aven 151

Divine Providence and through divine accommodation. The Torah comes about in a form that reflects God’s accommodation to the historical, scientific, and moral levels of the people at the time of the Torah’s composition. The Torah is holy as a product of the confluence of those two special divine intentions and actions. In the same way, though presumably with looser top-down constraints, the past and continued existence of the Jewish people and Jewish life are from heaven. And in the same way again presumably with more flexible downward constraints, the oral Torah is from heaven. The Divine Providence over each of these is constant, at times tighter, with more intervention, at times looser, with holistic providence alone. Providence of the holistic, top-down sort works with and through human freedom with the proviso that the outside boundary conditions are set by Providence, and that there are

providential metaphysical organizing principles at work.

That moderate providence works through the freely willed actions of humans accounts for the aspect of accommodation that is built into Providence. Providence is beholden to whatever level is at work at that time in human consciousness. Every element of Torah, then, is a *blending*, of divine action, in moderate providence, and human action with God’s providence dominating. (Recall my pouring freely willed flour grains into a bowl.) We can say that “This was from God,” while recognizing human hands in details.

As an act of divine accommodation, God ensured that revelation was embodied in historical narratives. That was an archetype of the Torah writing “as people speak” (“in the language of the masses”), in the ways people would then relate to God and Torah. That was in the mode of historical narrative. And it was an act of divine accommodation that the Torah consists of those narratives that people strongly believed were true historical narratives. When we find different versions of the same event, sometimes intertwined with one another, these give place to various beliefs about history by different groups or populations. What people believed to have happened was often the outcome of actual historical events. When this was not the case, the narratives make their way in to the Torah in any case. All of this took place under the guiding providence of divine accommodation.

152 Pa r t I I I . T h i s Wa s f r om G o d

Given this conception, we can give a new twist to a verse in Proverbs:“Therearemanythoughtsinaman’sheart,andGod’splan is what will stand” (19:21) (my translation). As usually rendered in English, “and” becomes “nevertheless,” or “but,” saying that God’s plan is in *contradiction* to the thoughts of people. As an account of Torah from heaven, as I am conceiving it, the verse describes well the mannerinwhichTorahfromheavenproceedswhenthereisnodirect divine intervention. God provides the outermost boundaries and the guiding organizational structures, the rest is filled in by the thoughts of people. No opposition, but cooperation, between the two.

The holiness of the particulars of the Torah and the rabbinic literature results not from a stenographic theology but from their having been, diverse as they are, included in and contributive of the process of Providence, respectively, without which Providence, in varying degrees of imposition, the Torah and rabbinic literature would not have the general kinds of contents, the forms, and moods they have.

That is why nobody should erase anything from the Torah or rabbinic literature about which they have become tepid on moral grounds. We are to preserve a place for it in the Torah, and, when the time has come, read narratives with a new meaning. We are to actively maneuver around a law, if it comes to that, so as to neutralize its applicability and its being a precedent for behavior today. No story or law is to disappear. Even if God did not plan a particular item per se, it is there in the Torah because it took up its place in what was a broad, high-level providential process stretching over time.5 As such, it is holy.6

5 In Chapter 10, I will take up more explicitly the issue of the validity of keeping the *mitzvoth*, “commandments and laws,” in our new situation.

6 A good example of this approach is in the attitude of Rabbi Isaac Klein, a late halachic decisor of the Conservative movement of Judaism. Rabbi Klein wrote a responsum concerning the performance of *halitzah* in our times. This refers to a widow without children who has to participate in a ceremony to free her from being bound to her late husband’s brother. Without this ceremony the woman cannot remarry. Today the ceremony strikes some, including Rabbi Klein, as unseemly. He writes that “the procedure has become repugnant and meaningless to the modern temper.” Yet, Rabbi Klein will not accept the

C h apt er 8. Tor a h f r om He aven 153

Being Jews, Jews will fight like mad about what is properly inside and what is outside that process. Some will insist that the Orthodox have gone far off the track, because of their stiff timidity and overreaction to secularity. Others will say that the Conservatives have lost their way in bowing to trendy ideas and thus unjustly bending the tradition. Others will reject Reform Judaism as outside the discourse of Judaism altogether for its rejection of Jewish law. Who knows, maybe this is part of the planned upheaval that Providence is managing in light of the new situation we face. Perhaps what emerges must be the result of such divisions, and Providence is leading us to a new synthesis.7

The entire thrust of the present theology of Torah stands in opposition to what amounts to a “deistic” concept of revelation regarding Jewish tradition. On this view, God may have given the Torah, but, after that, God retired from the scene and left everything else to the Jews. God has disappeared. The proof-text offered for this position is the talmudic story about a voice from heaven that interferes in a dispute among the rabbis in favor of a single, outnumbered, rabbi, Rabbi Eliezer.8 An opposing disputant, Rabbi Joshua, exclaims a verse from Deut. 30:12, “It is not in Heaven.” Another opposing disputant, Rabbi Jeremiah, explains his meaning: The Torah was already given at Sinai, and since then we do not heed a heavenly voice. We follow the majority, according to our rules. From this we are supposed to conclude that God is out of the picture when it comes to deciding Jewish law.

Reform position, which he quotes as saying that *halitzah* no longer obligates, and that “the non-performance of *halitzah* is no impediment to the widow’s remarriage.” Although Rabbi Klein is not enamored of the ceremony, he rejects the Reform position as going against Jewish law, and he will accept only a policy that circumvents the performance of *halitzah*, and does so by employing legal remedies. The law remains, its application circumvented. See Isaac Klein, *Responsa* *and* *Halachic* *Studies* (Jerusalem: Schecter Institute of Jewish Studies, 2005), 17–18.

7 This comes close to the view of Rabbi Abraham Isaac Kook, who observed the clash between the Jewish “Orthodox,” the “nationalists,” and “universalist “liberals” in a way similar to this. See Rabbi Abraham Isaac Kook, *Orot* (Jerusalem: Mossad Harav Kook, 2004-2005), 70–72 (Hebrew).

8 Bava Metziah 49b.

154 Pa r t I I I . T h i s Wa s f r om G o d

However, Tova Hartman and Charlie Buckholtz, and also Daniel Statman, respectively, have questioned the validity of this inference.9 That is because the Talmud continues the above story by telling how the rabbis who rejected the heavenly voice and Rabbi Eliezer’s view were punished for their actions. In any case, there are other talmudic passages where a voice from heaven *is* followed. An important instance of heeding one is where a heavenly voice declares that the law follows the house of Hillel against the house of Shammai. For three years they had argued over this until a heavenly voice declared for the house of Hillel:

R. Abba stated in the name of Samuel: For three years there was a dispute between Beth Shammai and Beth Hillel, one saying, “The law is in agreement with our views” and the other saying, “The law is in agreement with our views.” Then a voice from Heaven announced, “Both are the words of the living God, but the law is in agreement with the rulings of Beth Hillel.” Since, however, both are the words of the living God, why was Beth Hillel to have the law fixed in agreement with their rulings? Because they were kindly and modest.10

This position is supported in other places in the Talmud.11 I am not advocating the hearing of voices, but the theology here presented has God actively involved in the ongoing creation of Torah, in the way I have delineated*.* Perhaps no voices, but moderate providence in the background with human choices in the foreground. *In* *a* *sense*, Torah continues to be from heaven.

I turn now to an examination of two contemporary proposals of what it means for the Torah to be from heaven. I find both proposals wanting, and I turn to them as a way of clarifying just what are the implications of my approach to Torah from heaven.

9 See Tova Hartman and Charlie Buckholtz, *Are* *You* *Not* *a* *Man* *of* *God?* *Devotion,* *Betrayal,* *and* *Social* *Criticism* *in* *Jewish* *Tradition* (New York: Oxford University Press, 2014), and Daniel Statman, “Authority and Autonomy from the Oven of Akhnai,” *Mehkarei* *Mishpat* 24 (2008): 639–62 (Hebrew).

10 Eruvin 13:b.

11 See Yevamot 14a; and Yoma 9:b.

C h apt er 8. Tor a h f r om He aven 155

**Myth** **of** **Origin**

One approach to Torah from heaven makes that concept subservient to seeing the Torah as a “myth of origin.” This is the position of Norman Solomon.12 Solomon is motivated by the problem of Torah as history and also by issues of Torah and morality. Solomon considers a number of concepts of truth toward determining in what sense the Torah may be said to be “true.” The one he eventually adopts for applying to Torah being “from heaven” is “mythological truth.” Here is how he characterizes mythological truth:

Stories, poems, and other literary facts are described as “true” or even “very true” if they convey understanding about human nature, about the way groups of people want to see themselves collectively, or about the universe. . . . If a story is referred to as a “myth” many people jump to the conclusion that that it is false and unworthy of serious consideration, but they are quite wrong. What we ask of a myth is not historical accuracy (though it may in fact be historically accurate), but the ability to articulate the human situation. (306)

That Torah is from heaven, for Solomon, is such a myth:

Where *torah* *min* *hashamayim* (“Torah is from Heaven”) really comes into its own is as a *myth* *of* *origin*. Myths of origin are important, even vital, to create a sense of identity. . . . They encapsulate selected incidents of our past, together with the accumulated wisdom of the ages, and proclaim them in a succinct and accessible fashion. (314)

Hence, “We may say ‘Torah is from Heaven’ is “true,” meaning that it “effectively discharges its mythic function” (313).

First, note that if saying that “Torah is from heaven” means no more than an endorsement of Torah as successful myth, it is very hard to understand why such high language should be marshaled for such a prosaic assertion. Why not say, instead, that the business about revelation from God is something solely *internal* to the myth,

12 Norman Solomon, *Torah* *from* *Heaven:* *The* *Reconstruction* *of* *Faith* (Oxford: The Littman Library of Jewish Civilization, 2012).

156 Pa r t I I I . T h i s Wa s f r om G o d

and then just say that the Torah story is a wonderful founding myth, and leave it at that? The transfer of the idea of divine revelation (“from heaven”) from being found *within* the story to being something *about* the story, seems without justification, if what we have is a myth of origin. Solomon does give a brief reason for *saying* the written and oral Torah is from God: “Introducing a divine point of origin for the whole is to stake a claim to perfection; as *mythos* rather than *logos* it renders itself immune from historical criticism” (313). Solomon is not *claiming* a divine point of origin for the Torah, he is only telling us what function *saying* the Torah has a divine point of origin might serve. Since Solomon himself advises caution about some of the Torah content because of its moral shortcomings, it is hard to see in what sense he thinks the Torah is “perfect.” In any case, I see no reason for wanting to say that a mere myth of origin is perfect. Why should it be? Especially if a myth of origin comes to us from far in the past, from a culture remote from ours in its sophistication and knowledge, should we not expect it to be far from perfect?

This is part of a larger dificulty. The language Solomon employs in his defense of Torah as myth is drawn entirely from a secular vocabulary. He talks about myths as “articulating the human situation,” being about understanding “human nature, being about the way groups of people want to see themselves collectively, or about the universe.” Not a word about God, how people understand God, their relation to God, or how God relates to them. By reducing the idea of Torah coming from God to an effective myth of origin, and by characterizing myth entirely in secular terms, Solomon deletes God from the notion that Torah is from heaven. Theistic realism is abandoned.

What might have led Solomon into such a position appears to be a misstep in his argument for a “myth of origin” interpretation. When considering various meanings of “true,” only one of which is “mythological truth,” Solomon lists “correspondence” as one: “This is the ‘common sense,’ or ‘realist,’ theory that a true statement (belief, proposition) is one that ‘corresponds’ with what is, i.e., with objective facts.” When it comes to considering whether “Torah from heaven” belongs to the category of correspondence truth,

C h apt er 8. Tor a h f r om He aven 157

I would have expected Solomon to judge whether the statement “The Torah comes from God” is true in a correspondence way. For that statement to be correspondence-true would require that God really exists independently of our thinking of God and that God has been actually causally effective in a special way in bringing the Torah to actually exist.

When it comes to rejecting correspondence-truth for Torah from heaven, however, Solomon does something utterly different: “Correspondence: This, the traditional understanding of *torah* *min* *hashamayim* (‘Torah is from Heaven’), is the weakest, for as we demonstrated earlier . . . there are numerous instances where hard historical or scientific evidence points to a conclusion at variance with the claims made in received texts” (309). Here, Solomon is thinking that *The* *Torah* *is* *from* *God* necessitates that *The* *Torah* *is* *historically* *reliable*. Therefore, whether the former is correspondence-true depends on the latter being so. And, since the latter is not correspondence-true, neither is the former. But surely, contra Solomon, that the Torah is from God need not entail the historical reliability of the Torah, whether or not the traditional view thinks so. The Torah might come from God, for example, with the historical narratives governed by what I am calling divine accommodation and moderate providence, or maybe with the intention to convey secret doctrines that lie beneath the surface of the supposed “historical” narrative. Or, somebody might believe the Torah comes from God, with the final product passing through fallible human hands, accounting for historical unreliability. And so on. There is no good reason to endorse that the Torah comes from God *only* *if* the Torah is historically reliable. Hence, Solomon does not successfully eliminate correspondence-truth as a way that Torah from heaven might be true. So, he does not succeed in convincing that Torah must be interpreted as mytho-logical truth.

Solomon might have been led into his secular language loop because, maybe, he has a nonrealist view of God. On such a view, “God-talk” belongs *within* the religious life only, but when talking *about* the religious life, God falls away as not a real being. “God-talk” is expressive of human attitudes and hopes, but it

158 Pa r t I I I . T h i s Wa s f r om G o d

does not refer to anything divine independent of the users of that talk.13

Alternatively, Solomon might believe that God is wholly transcendent or ineffable so that nothing very meaningful can be said about God at all. So when philosophizing, God does not enter the discourse: God suffers from linguistic transcendence. God is language-challenged. On this, within religious practice, (false) images of God are allowed because they serve the pragmatic needs of the religious life. This is not quite nonrealism, but in practice it is almost identical to a nonrealist position about God. Either of these would explain why Solomon would not even begin to consider a correspondence meaning for the statement itself that “the Torah is from heaven,” a consideration that would be open to a realist interpretation of talk about God.

I have already rejected a nonrealist conception of God and its first cousin, the God beyond all comprehension, as religiously and Jewishly wanting. (See Introduction.) So Solomon’s view does not qualify as a viable conception of Torah from heaven for the realist’s money. In addition, it is quite dificult to imagine such a view as Solomon’s passing our Satisfaction Criterion, which, you will remember, said that “a contemporary approach to traditional Judaism must leave one with a good religious reason to make great personal sacrifices for the sake of his or her Judaism and to teach one’s children (and others, to a degree) to make similar sacrifices.” It is hard to believe that enough people in general would be willing to endure great hardship or risk danger for themselves, and teach their children to do the same, all for a founding myth. In any case, it is dificult even so to see them doing this for a religious reason. So, given the problems with Solomon’s approach to Torah from heaven, with all of its sincere intentions and well-thought-out ideas, we should leave it aside.14

13 Howard Wettstein advances a somewhat similar view in some of the chapters of *The* *Significance* *of* *Religious* *Experience* (Oxford: Oxford University Press, 2012).

14 Tamar Ross has developed a sophisticated view of Torah from heaven that takes what she calls a “linguistic turn.” See Tamar Ross, “Orthodoxy and the

C h apt er 8. Tor a h f r om He aven 159

**Participatory** **Revelation**

Benjamin Sommer has written an intricately developed theology of Torah from heaven in *Revelation* *and* *Authority:* *Sinai* *in* *Jewish* *Scrip-ture* *and* *Tradition*.15 Sommer’s book is a sophisticated development of the thought of that wing of Conservative Judaism profoundly influenced by Franz Rosenzweig. I have learned much of value from Sommer, and there are some crucial points of commonality between his theology of Torah from heaven and what I present. For example, Sommer has a robust sense of God’s real reality. Also, I can envision people being willing to make great sacrifices for Sommerian Judaism. So, my Satisfaction Criterion would be fulfilled. Nonetheless, there are serious issues to be raised about Sommer’s view. Departures from the old tradition may appropriately be called for, but ultimately I believe Sommer departs more from the tradition than necessary. And I believe that Sommer’s own position is not as well founded in Jewish history as he would like to think. Sommer and I have engaged in print exchanges about his position, and I will focus on what is most relevant from that discussion to my present concerns.16

Challenge of Biblical Criticism,” accessed September 27, 2015, https://www. academia.edu/6744328/ORTHODOXY\_AND\_THE\_CHALLENGE\_OF\_ BIBLICAL\_CRITICISM\_SOME\_REFLECTIONS\_ON\_THE\_IMPORTANCE\_ OF\_ASKING\_THE\_RIGHT\_QUESTION. Ross’s view shares a few of the features of Solomon’s work and tends to a nonrealist conception of God. Nevertheless, Ross seeks to validate both realist and nonrealist conceptions by relating them ultimately to a stage where the distinction between the two no longer makes sense.

In an entirely different genre from this book, Samuel Fleischacker provides a rationale for “modern people,” who do not share the traditional assumptions I have made, to believe that the Torah is revealed. Fleischacker introduces the notion of “telic truth.” His direction can supplement the present view. See Samuel Fleischacker, *The* *Good* *and* *The* *Good* *Book:* *Revelation* *as* *a* *Guide* *to* *Life* (Oxford: Oxford University Press, 2015).

15 Benjamin D. Sommer, *Revelation* *and* *Authority:* *Sinai* *in* *Jewish* *Scripture* *and* *Tradition* (New Haven, CT: Yale University Press, 2015).

16 See Benjamin D. Sommer, “Revelation at Sinai in the Hebrew Bible and in Jewish Theology,” *Journal* *of* *Religion* 79 (1999): 422–45; Jerome Gellman, “Conservative Judaism and Biblical Criticism,” *Conservative* *Judaism* 59 (2007):

160 Pa r t I I I . T h i s Wa s f r om G o d

Here I can give only the barebones of Sommer’s theology.17 Sommer supports what he calls “participatory revelation,” a concept he finds in one form or another in the thought of Franz Rosenzweig and Rabbi Abraham Joshua Heschel. Sommer tells us, “The core of the participatory theory of revelation is the realization that all Torah, ancient, medieval, and modern, is a response to the event at Sinai” (241). This core is a negation of the “stenographic” view of revelation, according to which God spoke at Sinai and God’s words were recorded verbatim.

Sommer gives space to various versions of nonstenographic revelation, with God having varied, but quite minimal, input. The version of participatory revelation Sommer favors states that God’s revelation consists solely of making God’s “commanding” presence known in an entirely nonverbal theophany. The Torah, including all the commandments, is the *response* of the Jewish people to experiencing God’s presence, as a result of their acquiring a sense of obligation to respond to God, hence, “participatory”: the Torah is the product of God’s presence made manifest, with human responses thereafter. Sommer tells us quite early on that he does not believe the Torah to be a revelation (28). This is because of what he takes to be its moral shortcomings. The words of the Torah are a human creation.

For Sommer, God did not speak any of the 613 commandments at Sinai, but God did, in effect, “command” Israel at Sinai to respond to God. The theophany began and ended with God’s “commanding” presence made manifest on the mountain. Sommer argues that there is a tradition of God’s silence at Sinai right there in the Torah. He derives this through his acceptance of the Neo-Documentary Hypothesis and its four documents that predate the Torah: J, E, P, and D. Sommer contends that in the P text of the Sinai event no spoken commandments appear. Since the P text of the pericope is a continuous narrative without the Ten Commandments, to

50–67, and “Wellhausen and the Hasidim,” *Modern* *Judaism* 26 (2006): 193–207. And see Sommer addressing my issues in his *Revelation* *and* *Authority*, 298–99.

17 I thank Sommer for his help in my getting his view right.

C h apt er 8. Tor a h f r om He aven 161

Sommer it appears that the Ten Commandments did not at all exist in the original P description of Sinai. (In P, though, there are many commandments otherwise, but all of them are spoken to Moses and never to the people. In those cases, the people never hear direct verification of what Moses conveys to them.) The silent revelation of Sinai fashions, for Sommer, the later Horeb event, where Elijah hears only a still, soft sound. P, Sommer concludes, represents a tradition, previous to the Torah text, among the Israelite nation for a revelation of God’s command without specific commandments.

Furthermore, Sommer contends, E comes across as ambiguous by employing the word *qol* as what the people heard at Sinai, an ambiguous word meaning either “sound,” then referring here to the shofars, thunder, and the like, or “voice,” in that case referring to God’s speech. Sommer sees this ambiguity as intentional by E, designed to arouse in the reader a question as to whether there was or was not divine speech at Sinai. It was not to be assumed that God made God’s voice heard in giving commandments. On the other hand, D, in Deuteronomy, forthrightly reports on God’s speech, contradicting this view of a silent Sinai. In doing so, D is serving as a commentary to earlier understandings of Sinai. And as such, D is not more authoritative than P and E.

Next, Sommer takes the Sinai revelation as the paradigm of revelation in the Torah. Since this is so, there is room, given E and P, to come down on the side of participatory revelation as paradigm. Furthermore, if the people never heard God speak to them, then they could never be sure what the relationship was between what Moses had experienced from God and the actual words of the commandments that Moses spoke to the people. This fact too would tend away from the “stenographic” conception of revelation and tend toward participatory revelation.

So what does it mean to say that the Torah is from heaven? It means that the Torah begins in a divine self-disclosure, and that, subsequently, every generation continues to feel God’s commanding presence from Sinai. We can say metaphorically that the “heaven” belongs to God, and the “earth” is what God gives to humans. Human dialoguing with God includes the written Torah and continues to flourish down through Jewish history.

162 Pa r t I I I . T h i s Wa s f r om G o d

I have several dificulties with this theology of Torah. Sommer’s discovery of a tradition of silence at Sinai depends on accepting what he calls the Neo-Documentary Hypothesis, an update of the classical theory. And he depends on accepting a particular slicing up of the text into sources, coming mainly from Baruch Schwartz (but this is not unique). Also, Sommer’s understanding of Elijah at Horeb depends on distinguishing in a particular way between the text belonging to the original story and allegedly a later added text interpolated into the original. In personal communication, Sommer has told me he is convinced that the Neo-Documentary Hypothesis is true, and that many others admit to the basic way of identifying the P text. This may be so, but I wonder whether this is a good enough of an empirical basis. Given that the discipline of biblical scholarship is in disarray, I would be happier were the tradition of silence out in the open cohesively, to be seen by all, rather than having to be teased out from the text in a specific, contested, method.18

18 Sommer is an accomplishedBible scholar. I am far from it. But I am a philosopher and am trained to evaluate inferences. As such, I have reservations about two important inferences Sommer makes, assuming his Neo-Documentary Hypothesis. The first is his inference from E’s use of the ambiguous term *qol* a number of times in the Sinai story to the conclusion that E was purposefully trying to direct the reader to the problematics of a stenographic theory of revelation, where God dictates the commandments. On the contrary, it might have been that the term *qol* in this context was clearly understood in E’s circle, either as voice or as sound. At that time, in that place perhaps there was no ambiguity. Perhaps the redactor simply copied E with no particular theological intent. When, according to the Documentary Hypothesis, J writes of the *qol* of God in the garden (Gen. 3:8) that Hebrew verse is ambiguous. It can mean “voice,” as in the King James Version and in the Jewish Publication Society translation, referring to God’s voice, while God was walking in the garden, or “sound,” as in the New Revised Standard Version and elsewhere, as the sound of the walking of God in the garden. Are we to suppose that there is a theological intent behind this apparent ambiguity? Not likely. Second, granted that the P-text has no spoken commands at Sinai and granted that P endorses a quiet ritual in the tabernacle, it might not yet follow that the P document “knew” of no God-spoken laws at Sinai. Could there not have been spoken laws at Sinai in P that for some reason the redactor left out? As for the P-text of the Torah being a continuous narrative without the appearance of Sinai verbal commandments, and therefore there probably were no spoken

C h apt er 8. Tor a h f r om He aven 163

There is a further dificulty. Sommer takes the Sinai revelation to be paradigmatic for revelation, and so silent revelation is the norm. It is hard to see what could justify this position. The Sinai event is an exceptional occurrence, one involving, in one way or another, all the people, a one-time event no matter how presented. On the contrary, the paradigmatic form of revelation in the Torah, far before Sinai, is God speaking directly to a person and that person understanding precisely what God is saying and wants. God tells Abraham to leave his place of birth, and he leaves his place of birth. God tells Abraham to sacrifice Isaac, and Abraham sets out to do just that. In fact, Maimonides, whom Sommer cites as against a stenographic view of revelation, says that one of the lessons of the *Akedah* is that the prophet understands clearly what God wants. Otherwise, Abraham would not have set out for the sacrifice.

God tells Moses to return to Egypt, and Moses does so. God tells Moses and Aaron to go to Pharaoh and tells them what to say. They go and say what God told them to say. The standard way for God to convey God’s will to Moses is to speak to Moses. God speaking specific commands appears repeatedly in E (including the basic *Akedah* story) and in P. There seems little reason to take the Sinai event as the paradigmatic revelational event of the Torah. Maybe P, the “Priestly” document, simply did not want to accept that just plain people could have heard God’s voice? Maybe E was simply *ambivalent* about that? Perhaps, no more theology than that need be implied. More has to be said to justify the Sinai event, however construed, as a paradigm of revelation in the Torah. Since that is so, even if the Sinai event was silent, that is not yet a good reason to make divine silence a paradigm of revelation. Sommer owes us more than he has said about what constitutes the paradigmatic status of the Sinai event.

laws at Sinai for P, that is not convincing. Consider this example. In James Joyces’s *Portrait* *of* *the* *Artist* *as* *a* *Young* *Man*, there appears a long sermon on hell by the school rector. It takes up many pages of the novel. If we were to delete that sermon from the book, the plot of the book would still be a continuous story without any gaps. The fact that a text has continuity as it is, with no discernable gaps, does not imply that nothing has been excised from it, even something important. But I am not a biblical scholar.

164 Pa r t I I I . T h i s Wa s f r om G o d

Sommer also refers to later authors who deny a stenographic conception of revelation and who thus open the door for Sommer to go his way with participatory revelation. Now, Sommer does not need any tradition in order to put forward a constructive theology any more than I claim to have a tradition for what I put forward. So, the real issue is not whether Sommer has that to go on, which he might have to some extent, but whether his participatory theology is religiously adequate and whether it is necessary for the scholarly developments of the past two centuries. On both counts I have my misgivings.

The most usual way of thinking of the Torah and the command-ments is that they are God’s Torah and God’s commandments. The Jewish prayer book attests to this in a grand way. We ask God to make sweet the words of “Your Torah,” so that we will study “Your Torah” with proper intention. God is said to “teach” Torah. We ask God to bless us so that we will study “Your Torah” with love. We ask God to enlighten our eyes in “Your Torah” and to help us so that we will cling to “Your commandments.” We ask God to open our hearts to “His Torah,” and to help us to observe “Your Statutes.” We ask of God to make us holy with “Your commandments.” And so on. Of course, these phrases are derived from the Torah, where God often speaks of “My commandments” and “My laws.”

On Sommer’s theology, God appears in the pose of a “com-mander” without commands, while the Torah itself and the com-mandments in the Torah result from a “dialogical” response by the Jewish people. How, then, would the Torah be God’s Torah? Sommer does say at one point that after the fact God confirms what we do in the way of creating Torah (145). But this saying begs elucidation, especially in light of Sommer’s rejection of Torah as revelation because of moral problems. In any case, that God confirms might not be enough to create a sense of the Torah being *God’s* Torah.

Sommer does address this problem in a very clever way. He argues that what comes clearly from human decisions at times gets the honor of being deemed God’s own command. To wit, there are several blessings for performing rabbinic mandates where the mandate is attributed to God. So, the blessing over the rabbinic law

C h apt er 8. Tor a h f r om He aven 165

calling for ritual washing of the hands acknowledges God who “has commanded us regarding washing of the hands.” If this is suitable, then, Sommer argues, so can the rest of us think of humanly created Torah as God’s own Torah. It is God’s Torah because God’s “commanding” presence is felt in every generation.

If we had no choice, in light of new developments, but to resort to this Sommerian sense of the Torah and the commandments as “God’s Torah” and “God’s commandments,” well, all right. But we can do better. Sommer’s conception leaves the human side of the dialogue entirely, and independently, in our hands. The laws and the words of the Torah are entirely *ours*, we are in charge of our side of the dialogue. This detracts from the keen sense that the Torah is God’s Torah and the commandments God’s commandments. God might be the stimulus, for Sommer, but in reality the Torah is entirely a human product.

My proposal will not return us to the stenographic understanding of Torah, but it will give us a more robust sense of the Torah as God’s than does Sommer. On my conception of Torah from heaven, *always* *and* *forever* God is hovering over the face of the earthly Torah process, not merely by being present but by imposing higher-level, top-down organizational grids on what can take place. And at times God “descends” to see what humans are doing and will intervene in the course of Torah with revelational moments, sometimes noticeably, at other times unperceptively, nudging things along when necessary.

God’s providence blends with, yet *dominates*, the paths of human endeavor in Torah. Hence, the best way to think of the Torah is that it is God’s Torah. To think otherwise is to take for our own credit that which we could never have done without a great deal of special *siyatah* *dishmayah*, “help from heaven,” at every moment. I submit that my proposal affords a more traditionally satisfying content to the idea of Torah being from heaven, accommodated for our new situation. It preserves our sense of God’s Torah and God’s commandments as above us, and we under the yoke of heaven. This was from God.

**Part** **IV** **Tor** **a** **h** **Today**

**Chapter** **9**

**re** **a** **dI** **ng** **Tor** **a** **h** **W** **I** **T** **h** **T** **h** **e** **hasI** **dI** **M**

Traditional Jews will always read the Torah with its historical cast for its sublime teachings. And traditional Jews will always read the Torah with its historical cast for its speaking of God and the Jewish people. They will stand just off to the side watching when Eve meets up with the serpent. They will peek into the tent with compassion, seeing Jacob there, grieving for his “dead” son. They will watch in shuddering awe at the remarkable events at Sinai. And they will stand in the sun of the desert, tasting the *manna* with the Israelites. In light of the challenge to the historical reliability of the Torah, though, it is time, *in* *addition*, to give rightful place to readings consciously in a *nonhistorical* mode*.*

There are two ways of reading the Torah consciously in a non-historical way. One is to tell the Torah as “once-upon-a-time stories,” with valuable lessons to teach us. We would read the Torah to distill admirable values from it, much in the way we read Aesop’s fable about the fox and the sour grapes. Nobody supposes there ever was such a fox and that the story really happened, and nobody thinks a fox could really convince himself into thinking perfectly delectable grapes were sour. We read the story as a *tale*, a tale that teaches a valuable lesson about human nature. Just so, on this view, we are to read the story of Adam and Eve as a *tale*, one, suppose, about the importance of obedience to God and of the sin of hubris. We are to read the story of Cain and Abel as a *tale*, teaching us how badly brotherly relations can go and telling us to avoid the degeneration of sibling love in our lives. The once-upon-a-time story of Abraham and the three visitors tells us of the great value of hospitality to strangers. We are to read the story of

168 Pa r t I V. Tor a h To d ay

the Israelites receiving *manna* from heaven in the desert as a *tale*, telling us of God’s loving protection in times of trouble. And so on. The teaching of these lessons is independent of the historical truth of these stories, and, on this construal of unhistorical reading, this would be the new way for the Torah now that historical reliability has been shown to be wanting.

This approach has obvious merit and is to be encouraged. Yet, a trouble with it is the dificulty in applying it to everything in the Torah. And because necessarily selective, this approach is deficient. The once-upon-a-time approach will have dificulty finding beautiful messages in many of the genealogies of the Torah, for example, and in many other of the Torah details. In addition, there are stories whose use as good-feel stories is severely limited, because of their inapplicability in our times. Then there are stories that are morally problematic to increasing numbers of traditional people, and they will hesitate to tell these as bedtime stories. Indeed, I have never heard a rabbi attempt an edifying sermon on Num. 31, about the killing of all the Midianites save for the virgin women. As having been part of the Torah process of moderate providence, no part of the Torah should become invisible. But that is what happens on this approach, when parts of the Torah have to be hidden from view. So, the once-upon-a-time view has some serious shortcomings.

What characterizes the once-upon-a-time stories approach is that it reads the Torah “literally,” though nonhistorically. By “literally” I mean that this approach takes words in the Torah in their ordinary dictionary meaning with their ordinary references. To illustrate, suppose I am reading a story to my grandchildren and I say: “Then she said, ‘This porridge is too hot.’” When saying that, I intend, and so it is heard, that every word I said has its ordinary dictionary meaning. “Porridge” means porridge, “hot” means hot, and “she” is putatively referring to Goldilocks. Just so, to read the story of Adam and Eve as a *tale* is to take “garden,” “tree,” and so on, in their ordinary dictionary sense, and “Eve” and “Adam” as referring putatively to a man and woman who lived long ago, as the first humans. This is all literal, in my sense, even if not *intended* historically. Fictions and reports of real events share the same dictionary meanings of their words.

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 169

The second way of reading Torah nonhistorically would be to turn to *nonliteral* ways of reading. Here, words are allowed to wander from standard dictionary meanings, and references can have referents other than their alleged historical ones. The intended purposes are to guide the way the nonliteral enterprise is to be implemented. These purposes will provide the mood and outer constraints on the mode of construing the text. If we were to stick to the literal, we would be left with the once-upon-a-time approach, which we found to be wanting, or else read stories as supposedly historically true, when historicity is now in doubt. In light of this, I urge nonliteral paths as the way to proceed.

Here I pause for an objection. Norman Solomon has argued against employing nonliteral interpretations of the Torah that yield “deep truths.” Solomon’s protest also applies to my endorsement of the nonliteral. Solomon writes:

Almost anything can be shown to contain a “deep truth.” . . . It is not that [traditional texts] *contain* the wisdom attributed to them, but that they are suficiently open for the wisdom (if such it be) to be read into them. . . . So we may readily concede that every text has a “deep” or “spiritual” meaning; all this says is that we can, if we wish, read profound thoughts into it. We can do the same with spiders’ webs, and with tea leaves, if we are so minded. It is we ourselves who decide what the signifier means.1

Solomon believes that whatever nonliteral meaning we read into the Torah will be of our own invention. We cannot say our readings correspond to any divine intent. We might as well admit we are making up the whole thing. We might as well be reading signs in spider webs and tea leaves.

However, on our conception of Torah from heaven we need not claim that what we say in interpretation is “God’s word” to us. It need only be that our interpretational scheme has arisen in a new stage in divine accommodation, in which the historical takes second place. Granting, as I urge, that the problematic of the historical is

1 Norman Solomon, *Torah* *from* *Heaven:* *The* *Reconstruction* *of* *Faith* (Oxford: The Littman Library of Jewish Civilization, 2012), 311.

170 Pa r t I V. Tor a h To d ay

generated by Divine Providence, it is now much a matter of the general framework and direction that is under God’s guidance, conditioned by our free choices. We are part of a long process and need not at any point claim that God had in mind *exactly* what we devise to say.

If we can give ourselves good reasons for assuming a given framework of purposes in a nonliteral mode of interpretation, we could then be empowered to impose suitable constraints of our own on what counts as valid interpretation. And we can hope that we are carrying forward a new stage of divine accommodation. We may find that the frameworks we adopt don’t work in fulfilling our purposes, or we may come to see that our purposes are not good enough, or that our neighbors have a better idea. We must try out our inclinations with a great amount of humility, responsibility, and sincerity. In giving nonliteral interpretations, we must be bound by our purposes in doing so, and by consequent restraints.

This is quite analogous to what governs the way talmudic haggadic literature and traditional biblical commentators proceed in their diversity and creativity in attempts at literal interpretations and in nonliteral interpretations. So, in interpreting the Torah nonliterally in the way I am about to suggest, we will be expanding on an age-old tradition of Torah culture.

Trying out multiple nonliteral approaches may be the best thing for a start. Whatever approach we take will itself fall under the rule of divine accommodation. That means that what emerges will be informed by our present conceptions and our spiritual needs. We have, of course, a rich fund of nonliteral interpretations in history. I wish to make a good case for a specific purpose in reading the Torah and for an approach that serves that purpose. We are talking about supplements to past nonliteral renderings, ones that fit our present needs in our circumstances and one that applies systematically. Once, Jewish exegetes read philosophical allegories into the Torah text, rendering verses into nonliteral messages. I assume that whatever merit those readings had then, they are not appropriate for us today. My proposal instead, is a Hasidic-inspired way of thinking of the Torah. (I invite the reader to supplement my

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 171

proposal with other suggestions.) My concern is with the contrast between liberalism and communitarianism.

**Liberalism** **and** **communitarianism**

A great many traditional Jews, including me, live or have lived within the increasingly imposing domination of liberal values in Western capitalistic societies. And those who have lived in nonliberal societies are increasingly exposed to liberal ideals. To one extent or another, we have soaked in liberal attitudes and practices alongside our traditional Judaism. Liberalism has a long and respectable philosophical tradition. It is not possible to encompass all forms of liberalism in a short characterization, but this tradition is often, roughly, marked by the presence of a cluster of ideas from the following list:2

1. Human beings possess equal “individual rights,” relevant to other people and institutions, including governments.

2. These individual rights have robust *prima* *facie* priority over other considerations.

3. A person is essentially an atomic entity, distinct from her social enmeshments, possessing the ability to choose her own identity and social associations.

4. A central right of a person is the right to use that ability to choose on her own how she is to live and behave, to choose her associations and self-identity, as much as possible without the interference of authority and social pressures or conventions.

5. Communities should be the result of individuals exercising their inherent right to decide with whom they wish to associate and for what reasons.

6. The role of society/government is to maximize and protect as much as possible these starting points and the primacy of individual rights.

2 For an excellent full description of liberalism, see *The* *Stanford* *Encyclopedia* *of* *Philosophy*, accessed October 6, 2015, http://plato.stanford.edu/entries/ liberalism/.

172 Pa r t I V. Tor a h To d ay

Sometimes the following is added to the characterization of liberalism:

7. A person is fundamentally motivated by her own self-interests, self-gain, and self-advancement.

However, I am not including (7) in my list, because I want to allow that for a liberal, a person’s basic motivation could be for the purpose of shaping society along liberal lines, and not primarily for self-centered reasons.3 Yet, we cannot deny the increasingly strong pull of (7) within liberal societies as actually lived. So, (7) should not disappear from view.

A restriction upon free individual choice within liberalism is that *prima* *facie* a person must not harm others. Popularly, though, there exists pressure to interpret this restriction within narrow latitude. In keeping with an emphasis on the individual in liberalism, harm to “others” is slanted to not harming discernible or easily discernible *individuals*. Popularly, the emphasis tends to be less on the dangers of harming society at large or on long-range harm to the social order, but that consideration does exist, obviously.

“Communitarians” oppose liberalism.4 Communitarians see a person primarily as enmeshed within communities that shape their identity and provide their most meaningful world. Communitarians object to the alleged liberal portrayal of an individual making autonomous choices on her own, seemingly extricated from inherent community and social contexts. The ideal liberal self, they charge, is the “unencumbered” self rather than the truly “situated” self. The unencumbered self allegedly floats free from any constitutive social and community ties. The situated self, in contrast, is strongly *constituted* by precisely such ties. Communitarians argue that the liberal sense of self and choice encourages individual detachment

3 For a liberal’s rejection of something like (7), see Allen Buchanan, “Assessing the Communitarian Critique of Liberalism,” *Ethics* 99 (1989): 852–82.

4 For an excellent full description of communitarianism, see *The* *Stanford* *Encyclopedia* *of* *Philosophy*, accessed October 6, 2015, http://plato.stanford.edu/ entries/communitarianism/.

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 173

from a person’s natural situatedness and thus leads to self-alienation and alienation from society.

A communitarian society will have a conception of the good for their society other than or supplemental to one guaranteeing individual rights. Because of its self-conception of such a good, a communitarian society will be more willing to overrule individual rights, if need be, than in a liberal society. Obviously, a liberal can be as concerned for society as a communitarian. But, the liberal’s conception of a good society is one that adjudicates the maximal co-possible implementation of individual rights. However, that does not add up to a communitarian value, which would be one defined at least partially independently of the liberal agenda.

So, communitarian Charles Taylor can object to liberalism for what he sees as liberalism’s defense of “the priority of the individual and his rights over society.”5 Our “obligation to belong” is then, says Taylor, a derivative feature of life, a result of the consent of each atomic self to join together with other atomic selves. Historically, this is the view of various social contract theories. Taylor objects that this doctrine must presuppose “atomism,” a false conception of human nature, according to Aristotle, with whom Taylor sides.

Taylor opposes the social “instrumentalist atomism” tendencies of liberalism, which he describes as where “everyone defines his or her purposes in individual terms and only cleaves to society on instrumental grounds.”6 Taylor supports a strong sense of identification of the citizens with their public institutions and political way of life, and he laments that these conditions are under threat by societies “which are so dominated by instrumentalist considerations.”

Alasdair MacIntyre, another communitarian, writes against the idea of a self “detachable” from its social and historical roles and statuses, and he goes further to deny the very existence of individual

5 Charles Taylor, “Atomism,” in *Powers,* *Possessions,* *and* *Freedom:* *Essays* *in* *Honor* *of* *C.* *B.* *Macpherson*, ed. Alkis Kontos (Toronto: University of Toronto Press, 1979), 39.

6 Charles Taylor, *Sources* *of* *the* *Self:* *The* *Making* *of* *the* *Modern* *Identity*(Cambridge, MA: Harvard University Press, 1989), 413.

174 Pa r t I V. Tor a h To d ay

“rights.”7 He alleges that the notion of “individual rights” lacks any clear meaning save for its force of having moral primacy over most other moral values. MacIntyre endorses the “moral unity” of the Aristotelian *polis*, for him the paradigm of communitarian politics.8 MacIntyre, as Taylor, deplores the idea he attributes to liberalism that individual interests exist prior to moral bonds between individuals. Stanley Hauerwas puts his critique of classical liberalism caustically when he maintains that “good societies are characterized by freedom and equality of individuals which then require trying to achieve as much cooperation as possible between those individuals in spite of the fact that they share nothing in common other than

their commitment to the abstractions, ‘freedom and equality.’”9 Some of the above charges against liberalism are obviously

overstated. Also, a countercritique can be mounted against communitarianism itself for being in danger of countenancing a society’s ethos of immoral subjugation of its citizens.10 Yet, communitarians are quite right to point to undesirable consequences of liberal values as they have emerged *on* *the* *ground*. These include, often to a worrying degree, an obsession with personal fulfillment and one’s personal desires as having strong moral standing, often to the detriment of a cohesive, well-functioning society, and to the

7 See Alasdair MacIntyre, *After* *Virtue* (Notre Dame, IN: Notre Dame University Press, 1981), 205 and 107.

8 Ibid., 146.

9 Stanley Hauerwas, *Dispatches* *from* *the* *Front:* *Theological* *Engagements* *with* *the* *Secular* (Durham, NC: Duke University Press: 1994), 11. I am thankful to Francis Nataf for bringing this quotation to my attention.

10 Some feminists take issue with forms of communitarianism for this reason. Penny Weiss has noted that communitarianism is too often concerned with “the *loss* of traditional boundaries,” while feminists are more concerned with the “*costs* of those boundaries”; see Penny W. Weiss, “Feminism and Communitarianism: Comparing Critiques of Liberalism,” in *Feminism* *and* *Community*, ed. P. W. Weiss and Marilyn Friedman (Philadelphia: Temple University Press, 1995), 167. A community could very well include in its identity values and practices endorsement of oppression and abuse of women and others. Of course, one can be a communitarian without endorsing such injustices.

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 175

society’s own conception of the common good. On the ground, liberal societies are in danger of running amok in self-serving, egocentric life-attitudes in relation to society at large.

These grievances must not be employed to reject liberalism. Liberalism has made too many glorious contributions to the good of humanity, especially in the West. The oficial end of slavery, women’s rights, minority rights, and more are the result of the growth of liberalism in the West. To suggest a broad rejection of liberalism in the name of Judaism would be morally wrong, and self-defeating. Nobody should simply reject the grand fruits of political liberalism in the name of communitarianism.

Those concerned about the excesses of liberalism as lived out, who are yet appreciative of advances made by liberal values, see the way forward for Western societies to put into place the moral weight of communitarian aspects of life, abandoning the too often automatic trumping of community factors by individual rights of choice. In an important statement, Amy Gutman has written of the “tyranny of dualisms,” when siding wholly with liberalism or with communitarianism. Gutman endorses communitarian values when “properly viewed as supplementing rather than supplanting basic liberal values.”11 “Communitarianism has the potential,” Gutman writes, “for helping us discover a politics that combines community with a commitment to basic liberal values.” No amount of simply sermonizing that “we *must* advance communitarian values!!” is going to make any difference to the situation.

Whether or not you think traditional Judaism contains the category of “individual rights,”12 it should be clear that communitarian conceptions have massive weight in classical Judaism when compared to today’s liberal societies. Consider that much in Judaism acclaims the extreme value of belonging to and fostering the values and collective destiny of one’s own people,

11 Amy Gutman, “Communitarian Critics of Liberalism,” *Philosophy* *and* *Public* *Affairs* 14 (1985): 320.

12 For a vigorous defense of a positive view, see David Rosen, “Judaism and Human Rights,” accessed January 12, 2015, http://www.rabbidavidrosen.net/ Articles/Judaism/Judaism%20and%20Human%20Rights.doc.

176 Pa r t I V. Tor a h To d ay

*klal* *Yisrael*, “the Jewish collective.” Much in Judaism acclaims the extraordinary value of being God’s chosen people, however that is to be understood. Traditionally, the entire Jewish people stood at Mt. Sinai and in one corporate voice accepted the covenantal relationship of the people to God. Jewish prayers are *of* the community and *for* the community—“Heal *us*,” “Forgive *us*, and “Hear *our* voice.” Given these, we can expect ideological conceptions of the good and community solidarity generally, or often, to take precedence over individual rights.

And so, for example, the conception of punishment in the Hebrew Bible is strongly communitarian, as opposed to deontologi-cal and just-deserts approaches to punishment. This is evidenced by the phrase, repeated in several places in the Torah, motivating capital punishment, “And you shall eradicate the evil from your midst” (Deut. 13:6, 17:7, 21:21, and 24:7). Capital punishment is mo-tivated by the need to protect the values and ways of life of the community. Severely negative exemplars and influences must be removed from society.

A vivid example of the communitarianism conception of punishment in the rabbinic literature is the statement of R. Elazar b. Yaakov (Yevamot 90b), and codified into law by Maimonides (*Mishneh* *Torah*, Sanhedrin 24:4) that at times the supreme court, *Sanhedrin*, can punish a person when he or she does not deserve the punishment by fixed law. This happens when the court deems it important to preserving society’s obedience to *halachah*, “Jewish law.” There the Talmud relates that a court put a man to death for riding a horse on Shabbat, which is only a rabbinic violation, which by any means does not merit the death penalty. Because it was a time when the observance of *halachah* had weakened, the court saw fit to execute this man to tighten observance in society. By liberal lights, the man’s civil rights were violated, to say the least. A great injustice was done to him. By the communitarian credo of that talmudic passage, however, the execution was fit and proper because of the hoped for benefit to community, which here overrode individual justice.

Much in Jewish law stresses individual constraint for the sake of the community, both local and at large. An instructive example

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 177

is that in the Talmud the rabbis *systematically* prohibit a person from acting in ways otherwise permitted by Jewish law, because of communitarian considerations. An example is that a Mishnah in Tractate Shabbat (146b) tells us: “A person whose clothes get wet [on the Sabbath] from water on the way may continue walking in them. When he arrives at his courtyard he may lay them in the sun [to dry] but not in front of people” (my translation). The problem here is that laundering is prohibited on the Sabbath, and if people see the clothes lying in the sun they will get the idea that they were laundered that day. Commenting on this law, the Talmud reports a remarkable stringency, when Rabbi Yehuda says in the name of Rav: “When the Sages made a prohibition because of appearances, this applies even in complete privacy.”

When a person creates a harmful impression, *even* *when* *it* *is* *a* *mistaken* *impression*, according to these rabbis, his individual freedom must be restricted, for the good of the group. More so, he must refrain from those actions even in complete privacy, so as to nurture desirable habits. This systematic communitarian concern for the overall good of the community will regularly trump individual rights, such as a claim to the right to hang my wet clothes wherever and whenever I damn please!

Herein lays an essential clash between traditional Judaism and liberal society as it has developed. Even if you might not want to go all that far with the communitarian side, there is no doubt that communitarian values are essential to the ethos of Judaism. Liberal values in general and individualistic religion in particular have worn down the significance of *klal* *Yisrael*, the corporate Jewish people, to the point that many are now at risk of thinking of *klal* *Yisrael* as a kind of club that one chooses to join and resign from at will

I, obviously, do not have a solution to this thicket of opposing valuesandtothedeteriorationofliberalsocieties.Yet,Ihavelearned from a dominant trend in Hasidic literature of a religious path and its application here that is appropriate to the contemporary malaise. I refer to the importance in Hasidic literature, in one form or another, of individual *self-transformation* as a religious value. By *self-transformation* I refer to deep character transformation away

178 Pa r t I V. Tor a h To d ay

from a *self-centered* self—from where all of us start life. This does not mean only training oneself to do good deeds. Neither does it mean training in acquiring virtues one by one until one has obtained them all. Rather, self-transformation is a holistic process in which virtues develop together as one progresses, gradually the virtues growing together out of an organic reorientation of the self away from self-centered ego domination. It is a disquieting emphasis on personal self-centeredness that drives the engine of the liberal problematic as lived out (although it did not have to be that way.)

We may not want to be as permissive in our interpretational approachaswhattheHasidicgreatsallowedthemselves.Nevertheless, I do want to make a case for the Hassidic nonliteral approach to the Torah as a prototype for our construing the Torah today in the nonhistorical way. The Hasidic approach, with all of its internal variations, is uniformly dedicated to our deep *self-transformation*. And this, I argue, is a mandate for our times.13 Indeed, as a devotee of

13 Feminists have protested, rightly, that an ethos such as this, rejecting self-centeredness, has been used cruelly as a tool to silence abused women and to otherwise keep women subjugated to men. Self-transformation to service of others is a cruel expectation of women. This charge is made forcefully in Margaret Daphne Hampson, *Theology* *and* *Feminism* (Oxford: Basil Blackwell, 1990) and Hampson, *After* *Christianity* (London: SCM Press, 1996). As a result, women have suffered from an inadequate development of self. So, the reasoning goes, the first commandment for women should be to create a self and declare its valid standing. Given this, I must clarify that, indeed, first one must possess a robust sense of self before one can ever be expected to become a transformed person. Indeed, every person must have her needs met before we can even talk to her about striving to be outer-directed. You cannot ask a starving person to give of her food to others. Nobody should be obligated to suffer abuse at the hands of another person for the sake of being a “good person.” Besides, to acquiesce in that would encourage evil behavior in others toward you, which would be a sign of not caring for the perpetrators. It would acquiesce in such behavior being enacted against others too, thus fostering evil patterns of behavior in society and contributing to harming countless individuals who will continue to be treated in the same way. A woman must fight against abuse and subjugation for her sake, for the sake of the perpetrators, and for the sake of all women who will gain as a result of her protest. Self-transformation should not mean making of oneself a *shmatte*, “a rag.”

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 179

Hasidic Judaism, I would like to believe that the Hasidic movement came into being through Divine Providence, in part to serve us as a forerunner, waiting to be picked up in the present challenge to the historicity of the Torah. If that is true, then God prepared the “cure” for us, long before the “illness.”

Personal self-transformation goes beyond training to behaving morally. One can be a stern, unloving, obsessive–compulsive, anal personality who succeeds in behaving according to moral rules. Such a person might heed all moral demands yet not have developed the inner self, including the motivational, emotional, and cognitive ingredients of a transformed person. A transformed person possesses a personhood of love and compassion, and is set to do the good beyond the demands of morality. A transformed person is trained to carefully inspect not only her behavior but also her motives at any one time.

I want to make absolutely clear that the self-transformation talked about here is not *in* *the* *least* a self-serving platform. True, it *focuses* on the individual self, but its entire outlook is in self-transformation for the *sake* *of* *others*. Indeed, a person may labor to “transform” himself for self-centered reasons—so as to find favor in the eyes of others, to feel better about his self-image, to get a juicy reward in heaven, because meditation is so sweet, or because the Kabbalah is so exciting. Such a person will not even begin to have accepted the yoke of self-transformation. He has merely substituted one self-serving aim for another. Though it is dificult for me per-sonally to picture in myself what a desire for true self-transforma-tion would look like, I can at least repeat the words and grasp in the abstract what I think is required of me.14

Of course, Hasidism was not the first, or the last, to advocate self-transformation of this sort. But no others applied the aim of personal self-transformation so fully and forcefully to the way they

14 I should also make absolutely clear that a focus on self-transformation does not clash with social activism. However, we need to address the person who loves all of humanity dearly, say, joining organizations that send food to poor Africans, but on the ground, in personal life, cannot tolerate his neighbors, constantly picks fights with his sister, and is nasty to his spouse.

180 Pa r t I V. Tor a h To d ay

studied and read the Torah as did the Hasidim. A major theme that permeates their writings is that objective. The integration of that aim with the consistent application to how the Torah is expounded is a virtue *par* *excellence* of the Hasidim.

Personal self-transformation has a profoundly religious meaning for the religious Jew. That is because personal self-transformation is implicated in *imitatio* *Dei*, the self-modeling by a person of the admirable attributes of God, as much as humanly possible. On the verse “This is my God and I will glorify Him,” Rabbi Abba Shaul says this in the Talmud: “‘And glorify Him,’ [means] be like Him: Just as He is compassionate and merciful, so shall you be compassionate and merciful.”15 Maimonides expands the list, based on other sources, to include imitating God’s justice, God’s supererogatory actions, and God’s holiness.16 Maimonides counts this as one of the 613 commandments, “to be like Him as much as we can.”17

For the Hasidim, self-transformation was not a matter of coming to *behave* a certain way, but a way of coming to *be* a certain way. And for the Hasidim, self-transformation was not one of the many commandments but the purpose of all commandments. It is this conception of self-transformation that sets the aims and the outer parameters of this style of nonliteral expounding of the Torah.

It is the excessive pride of contemporary “self-propelled” Western society to believe our fate is very much in our own hands, and, so, talk of “self-transformation” must be referring to “taking oneself in hand” through such devices as therapy, meditation, or self-help groups. Traditional Jews should not follow this equivalence too far. Doing so eclipses the crucial role of God and religion in the self-transformation of the traditional Jew. They should think of themselves as in God’s hands, albeit not in any quietist fashion.

15 Talmud Shabbat 133b.

16 In *The* *Book* *of* *Commandments* and in *Mishneh* *Torah*, Laws of Deot, chap. 1.

17 Maimonides, *The* *Book* *of* *Commandments*, Commandment 8 (Hebrew). On this conception in Maimonides, see Warren Zev Harvey, “Holiness: A Command to Imitatio Dei,” *Tradition* 16 (1977): 7–28.

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 181

Instead, we should heed the wise words of the American philosopher Henry Nelson Wieman (1884–1975):

What operates in human life with such character and power that it will transform man as he cannot transform himself, saving from evil, and leading him to the best human life he can ever reach, provided he meet the required conditions? . . . One of the required conditions is faith. Religious faith is giving oneself in the wholeness of his being, so far as he is able, to what he believes has the character and power just mentioned. This self-giving requires the purging of oneself by every means at his command of everything he can discover in himself which resists the transforming power to which he commits himself.18

For a traditional Jew, that transforming power can be no other than God. We can become transformed only by giving ourselves over to God’s transforming power. Our prayers consistently testify to that deepest of beliefs about our relationship to God. We pray:

Accustom us to Your Torah, and make us attached to Your commandments.

Unite our hearts to love and revere Your name. Bring us back, our Father, to Your Torah.

Open my heart to Your Torah.

My God, close my tongue from evil and my lips from speaking deceitfully.

May God open our heart to His Torah, imbuing our heart with love and awe for Him.

Make us holy through Your commandments. Purify our hearts to serve You in truth.

We ask God to change our hearts, to make us holy, to “bring us back,” to help us to never speak evil against anyone. For the traditional Jew, that which will transform a person as she cannot transform herself, and consequently that power to which she should give herself in the wholeness of her being, is God.

18 Henry Nelson Wieman, “Intellectual Autobiography,” in *The* *Empirical* *Theology* *of* *Henry* *Nelson* *Wieman*, ed. Robert W. Bretall (Carbondale: Southern Illinois University Press, 1969), 3.

182 Pa r t I V. Tor a h To d ay

We must pray for God’s help to *become* holy by our keeping the commandments. We do not *become* holy merely by observing the commandments. As it is written, at Sinai the people “shook, yet they stood far away” (Exod. 20:15). We Jews can shake (back and forth, *shokel*) in our prayers, yet at the same time be standing far away.

Some will want to interpret the above prayers as no more than declarations by the praying person to *resolve* to pursue the aims of holiness and a pure heart. Such a person would want to understand them in that way because she is reticent about God intervening in the natural world. However, I have argued for the consistency of Divine Providence with contemporary science. In fact, there was a time when I too wanted to understand those prayers as no more than expressing *my* *own* resolve to be good. In my case it was a mat-ter of my not willing to concede that my “self project” might not be so very much in my power, as Jean Paul Sartre would have had me believe. God’s being is the guarantee of human non-self-suficiency. We should be turning our attention to the Torah for self-transformation. We should do so not as a way of going forward when all else fails, but with a sense of carrying forward what God has wrought. This requires reading the Torah, importantly, not for events that happened long ago, but for the interior of our own souls and how to have our souls reshaped, away from our egocentric

motives, toward God and toward other people.

In Chapter 7, I noted the Hasidic fondness for a nonliteral approach, in which words get varying semantic meanings and new, contemporary referents. The Hasidic “Principle of the Mutable Eternity” of the Torah states that the Torah is eternal, and *therefore* that the Torah must speak directly to each era, as needed. The principle means that linguistic meaning itself can vary from one period of time to another, according to the spiritual needs of each era. The eternity of the Torah involves the fact that the Torah can be read differently for each generation for all time to come. Yes, the Torah has text-*immutability*, but it has *mutability* of linguistic meaning.

A definite advantage of a Hasidic nonliteral approach is to accomplish more than simply picking up on positive stories and using them to teach good lessons, as does a literal approach. Hasidic

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 183

nonliteralism allows us to get beyond the selectivity of the once-upon-a-time approach. A nonliteral approach makes possible the rereading the Torah as contributing to the task of self-transformation, limited only by our imagination and our will. To paraphrase Blu Greenberg: “Where there is a nonliteral will, there is a nonliteral way.” In particular, we can read ostensibly *morally* *dificult* passages in a nonliteral way so as to lift them off of their problematic literal content. This will not yet *solve* the moral problem, since this will not solve the way the passages were once taken. But this will go part of the way toward its amelioration.

For an example of this, we read a story, literally, about an ancient tribe, Amalek, which attacked the Israelites in the desert. Yet, our *intention* at this level of reading is not to think about a wicked ancient tribe of long ago. Our intention is to lift the story out of a historical setting, to be, for example, about the Evil Inclination within each of us, “attacking” us as we try to follow our inner Cloud of Glory. By changing the references of “Amalek” and “the children of Israel,” and playing with the meaning of “attack” we will have moved into a nonliteral, nonhistorical, engagement with the Torah text, one that engages us directly in the here and now.

Crucial to the Hasidic ethos is the concept of *devekut*, “attachment to God,” with associated terms such as *ayin*, “nothingness,” *bitul* *hayesh*, “nullifying of existence,” and *hitpashtut* *hagashmiut*, “shedding materiality.” Researchers disagree about what the Hasidim meant by *devekut* and the associated terms. They are divided about whether the Hasidic masters intended the attainment of *devekut* to pertain to the general population or only to the masters themselves. Researchers are also at odds over whether in teaching self-transformation away from our egocentric-driven selves the masters meant to advance quietist indifference to our desires and personal needs.19

19 Rivkah Shatz Uffenheimer argues this in *Hasidism* *as* *Mysticism:* *Quietistic* *Elements* *in* *Eighteenth* *Century* *Hasidic* *Thought* (Princeton, NJ: Princeton University Press, 2015). For a counterargument, see Jerome Gellman, “Hasidism as an Activism,” *Religious* *Studies* 42 (2006): 343–49, where I argue against a quietist reading of much of Hasidism.

184 Pa r t I V. Tor a h To d ay

The cluster of terms—*devekut*, “attachment to God,” *ayin*, “nothingness,” *bitul* *hayesh*, “nullifying of existence,” and *hitpashtut* *hagashmiut*, “shedding materiality”—can be given mystical or nonmystical elucidations.20 To take them mystically would mean to see them referencing *experiences* involving radically altered consciousness so that one achieves what cannot be experienced in ordinary conscious states. These can be experiences of God, of one’s unity with God, or a loss of self-awareness merging into awareness of God alone. “Shedding materiality” would then mean achieving a state of consciousness where one is no longer aware of one’s material existence or one’s separate existence from God.

To see these terms nonmystically would be to have them refer to the condition of shedding ego-driven desires for the sake of cleaving to God. God is close to those like God, who are, or who are devoted to becoming, merciful, compassionate, and slow to react with anger. For the Hasidim, to cleave to God would be to be dedicated to what *God* wants of you, to be outer-directed rather than directed to your own self-serving demands. Hasidism often means by “materiality” something close to being dominated by one’s self-centered desires. To “shed materiality,” then, taken nonmystically, would be to be free of the narrowness of self-centeredness.

Whether we take these terms mystically or nonmystically, they reference the goal of self-transformation. The purpose of the mystical experience is not for the sake of the experience itself, for the Hasidim, but rather for the self-transformation and closeness to God it bestows or indicates. To crave an experience of God for its own sake can be simply another form of self-indulgence. Deciding on these issues need not concern us here. What is important is that what stands out for the ages from Hasidism is its dedication to the goal, in one form or another, of nullifying egocentric selves to become selves aimed toward others and toward God.

The Hasidic prototype of nonliteral readings of the Torah involves both referential and semantic nonliteralness. Recall

20 See Mendel Peikarz, *Ideology* *and* *Reality,* *Humility,* *Ayin,* *Self-negation* *and* *Devekut* *in* *Hasidic* *Thought* (Jerusalem: Bialik Institute, 1994) (Hebrew).

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 185

that referential nonliteralness consists of redirecting references to people, places, and events, as ordinarily understood, to new referents. Semantic nonliteralness involves taking words out of the accepted range of their dictionary meanings into other meanings, often in associative ways.

In the Hasidic literature, referential nonliteralness occurs systematically to redirect references to the interior of our souls. We all have an Adam and an Eve inside of us, defying God and then exiled. We are all Abraham, called to leave our natural state and to go to a faraway place where we will be blessed. We all have a Moses and a Pharaoh within us, confronting one another time and again, until the time of personal redemption from the narrow confines of self-absorption. We each have within us the capacity to stand at Sinai and receive the Torah anew. That is what the Hasidim of which I wrote wanted their followers to know.

A corollary of interiorizing the Torah text was the Hasidic stress on the wavering nature of the religious life for those who engage it with seriousness. For them the religious life was marked by recurring personal highs and lows, as extremely opposite as the deepest pit and the highest cloud. There exists no other movement in traditional Judaism that recognizes so keenly the fact of personal religious ups and downs, and which brings that recognition straight into consciousness as something natural and expected. Not guilt but trust is the upshot of these ambiguities for the Hasidim. Do not ups and downs characterize the inner life of a typical, religiously serious contemporary traditional Jew faced with the many challenges of modernity? I can attest about myself that ordinarily I have deep trust in Judaism as though God had spoken to me directly. Yet, there are those moments when I can say to myself that maybe it is all just a lot of noise, and that really I do not know God, just as Pharaoh did not. And round back it goes.

In the Hasidic literature, semantic nonliteralness is limited only by the imagination of the writer and fed by Hasidic reading of kabbalistic literature. In both instances, again, the Hasidim focus on *pnimiyut*, “the interior,” of our souls. If *mitzrayim*, “Egypt,” sounds like *metzarim*, “narrow straits,” then the story of the stay in Egypt becomes a Hasidic story about an extreme narrowness of

186 Pa r t I V. Tor a h To d ay

self-absorption and of stubbornness born of not willing to yield to the wisdom of another. When I am self-absorbed and attached by stubbornness to my self-resolve, the world becomes very narrow, limited for me to that narrow slice of reality that serves my personal concerns. And if *par’o* (“pharaoh”) has the same Hebrew letters as *oreph*, “neck,” then Pharaoh becomes that within us that constricts the passage of the “divine light” from descending from the “head” into the “body.” Our exodus from Egypt, then, depends on God helping, even in the most extreme of cases, to extricate us out of our severe narrowness.

The Hasidic interpretation of Kabbalah follows the same pattern of internalization. *Worlds*, *faces*, *sefirot*, *broken* *vessels*, and *repair* may be metaphysical realities, but what interests the Hasidim most of all are analogues of these within us. Those terms refer to spiritual conditions and processes that we find inside ourselves, now or in the future. The demons that the Zohar writes about, for the Hasidim, do not, or do not only, dart about in our homes and outdoors in our neighborhood, but they also flit here and there frantically within our hearts and our minds. The light of the Zohar is not just out there in a metaphysical sky, but it is within us in our goodness.

I offer the Hasidic way as a prototype of how it is possible to turn to the Torah for expressing and cultivating the kinds of changes we so badly need. But how are we to align the literal meaning of the Torah with self-transformational readings? Is there a severe discon-nect between the two? I offer a way to join the self-transformational and nonliteral to the literal meaning of the Torah text.

Recall the Prophet Nathan. God sends Nathan to reprimand David over his immoral behavior with Bathsheba (2 Sam. 12). Nathan arrives at the palace and speaks to David but does not reprimand him directly. Instead, Nathan tells a story in which David does not appear:

There were two men in a certain town, one rich and the other poor. The rich man had a very large number of sheep and cattle, but the poor man had nothing except one little ewe lamb he had bought. He raised it, and it grew up with him and his children. It shared his food, drank from his cup, and even slept in his arms. It was like a daughter to him. Now a traveler came to the rich man, but

C h apt er 9. R e a d i n g Tor a h w it h t he H a s id i m 187

the rich man refrained from taking one of his own sheep or cattle to prepare a meal for the traveler who had come to him. Instead, he took the ewe lamb that belonged to the poor man and prepared it for the one who had come to him.

David burned with anger against the man and said to Nathan, “As surely as the Lord lives, the man who did this must die! He must pay for that lamb four times over, because he did such a thing and had no pity.”

Then Nathan said to David, You are the man!

This is what the Lord, the God of Israel, says: “I anointed you king over Israel, and I delivered you from the hand of Saul. I gave your master’s house to you, and your master’s wives into your arms. I gave you all Israel and Judah. And if all this had been too little, I would have given you even more. Why did you despise the word of the Lord by doing what is evil in his eyes? You struck down Uriah the Hittite with the sword and took his wife to be your own. You killed him with the sword of the Ammonites.”

By telling the story, Nathan externalizes David to himself. David is thinking what a bastard *that* man is. Thus, Nathan succeeds in trapping David into recognizing *himself* in the story. Had Nathan reprimanded David directly about David’s sin, Nathan would most likely have met resistance and excuses; maybe David would have “burned with anger,” not against the traveler, but against Nathan. Now, David has been forced to face the severity of his own sin.

Just so, the historical mode of presentation of the Torah prompts us to make judgments about characters external to us: “My, how kind was Rebecca at the well!” “How stubborn is Pharaoh!” “How wicked are the Canaanites!” “How noble is Caleb!” Then come the Hasidim and declare to us: “You are that man (or woman)!!” You have within you, in miniature, the kindness of Rebecca at the well, the stubbornness of Pharaoh, the idolatry of Canaan, and the nobleness of Caleb. You must recognize all of these in *yourself*, and shape the contours of your being accordingly. Recognize the goodness in you and build further on that. Expunge from yourself the stubbornness of resistance to God. Do away with the idolatry of self-worship. Stand up for what is right when everyone else is pulling in a different direction. The literal stories of the Torah then serve for projecting what is inside of us to the outside, to the front of

188 Pa r t I V. Tor a h To d ay

our very eyes, and so to see ourselves for what we are, both the good and the less than good, what we otherwise might not recognize or want to admit.

In the first instance, the semantic and referential meanings of the words of the Torah are to be preserved with their ostensible historical meanings. This is to project ourselves *out* of ourselves into an assumed historical story. At this point, “Pharaoh” refers to a (assumed) historical king of Egypt, “sea” is a large body of water. “Idol worship” is to have its literal semantic meaning referring to the worshipping of “wood and stone.” All of this pertains to the semantic and referential meaning of the words in the Torah. But the *intent* is not to historical persons, events, and places, but to analogues of them buried deep within us. This is how meaning and intent meet and then diverge from one another.

My purpose here has been to propose a consciously nonhistorical way of reading the Torah with an accompanying way of using the historical presentation of the Torah. Focusing our attention on self-transformation and ways of moving forward from it, as Hasidism proposes, changes the focus of one’s societal attitudes and behavior. It means the moderating of our self-serving “rights” for the purpose of becoming, like God, compassionate and just in our souls. I have no illusions that suddenly we are going to witness a wholesale change of society just because I am urging that we start to read the Torah employing Hasidism as a prototype. Yet, within ourselves we can know that as individuals we have striven, faultily and sporadically, perhaps, toward what we need to become. Let Judaism be a protest, and not slide into becoming more and more just another form of a dominant cultural malaise.

**Chapter** **10**

**Pr** **ay** **e** **r** **a** **nd** **CoM** **M** **a** **ndM** **e** **nTs**

Given a theology that urges attention to a nonhistorical consciousness, pertinent questions arise. How is the traditional Jew to pray thanks to God for God’s help in the past regarding a host of historical events recorded in the Torah if she thinks they did not happen, or did not happen as depicted? Why should a Jew now observe historically contextualized *mitzvoth*, commandments if the accuracy of their historical basis is questionable to her? If, say, she is not sure that the Israelites camped in the desert for forty years, living in *sukkot*, “booths,” then how can she observe the holiday of Sukkot that commemorates that event? If a person reads the Torah nonliterally, why should she now also not read the passages mandating the commandments as nonliteral? Perhaps the time has come to jettison observance of the commandments entirely in favor of internal spiritual work?

**Prayers**

The Jewish prayer book, the *Siddur*, is replete with references to historical events recorded in the Torah and Hebrew Bible. Many biblical verses are incorporated into the prayers. From Neh. 9 we have, “You are the Lord God who chose Abram and brought him out of Ur of the Chaldees, changing his name to ‘Abraham.’” From 1 Chronicles we find reference to the covenant God made with “Abraham, promised it to Isaac, and confirmed it to Jacob.” From Num. 15 we read, “I am the Lord your God who brought you out of the Land of Egypt.” From Chronicles we refer to God as “God of Abraham, Isaac, and Jacob.” From Psalms, we read, “I am the Lord your God who brought you up from the land of Egypt.” In

190 Pa r t I V. Tor a h To d ay

prayer, we read of the exodus and the splitting of the sea and the miraculous saving of the Israelites when they departed Egypt. And we read the Song of the Sea.

In addition, many prayers refer to historical events recounted in the Torah, without quoting from the Bible. The Morning Prayer expresses great gratitude to God: “From Egypt you redeemed us, Lord our God, and from the slave-house You delivered us. And their first-born You killed, but Your firstborn You redeemed. You split the Sea of Reeds and drowned their arrogant. You brought Your beloved ones across.” We pray to the “God of Abraham, Isaac, and Jacob,” with some adding the “God of Sarah, Rebecca, Rachel, and Leah.” In the full *tahanun* prayer we say: “My Lord, our God, who took Your people out of the land of Egypt with a mighty hand.” And in the same prayer we beseech God: “Remember and call to mind the covenant between the pieces [with Abraham] and let the binding of his only son [Isaac] appear before You for Israel’s sake.” In other prayers we say how God “brought vengeance against Pharaoh,” and did wonders “in the land of Ham’s children.” And so on.

If prayer is to be an authentic act between the person who prays/the community of prayer and God, a person who doubts the historical reliability of the Torah cannot continue praying those words as though nothing had happened to the historical reliability of the Torah. Granted, we might have no good reason to doubt the kernel of much of Torah history, yet we have also seen the challenge to the historical reliability of the details of stories and doubts about the historical basis of others. A rethinking of prayer would be in order.

Given our realist conception of God, it would be dificult to justify prayer as a mere exercise of “as if,” of pretending these things were true. What could it possibly mean to ask God, a real, present God, to help us just as God helped the Israelites with the ten plagues when God took them out of Egypt, if we are impressed with the challenge to just those details? What could it mean to express gratitude to God for having chosen Abraham from Ur, if we are challenged by that attribution of his origins? I imagine a pretending of that sort will help strengthen the Jewish identity of those who pray those words, and help strengthen the continuity of Jewish

C h apt er 10. P r ayer a nd C om m a nd ment s 191

culture by the recitation of the Jewish “founding myth,” but that pretense does not provide meaning to the category of authentically *praying* to a real living God.

According to my Hasidic proposal as to how the Torah text should be read nonliterally, the Torah narratives are transferred into the interior of our souls. In each of us there lurks an analogue of the exile in Egypt, of the Pharaoh who subjugates us, of the Abraham who leaves his starting point and goes to a place that only God can show him, of the generation of the desert never satisfied and always asking, “Yes, but what have you done for us today?” or of the Moses who cannot enter the promised land, of Amalek who does battle against those who wander in the desert at God’s behest. We, each of us, stand between the forces of evil that pursue us from behind and the sea in front of us, leading to freedom, which we fear to enter. The transformative power of the Torah depends on knowing that and expounding the Torah in those nonliteral ways that advance our transformative goals.

Given that approach to reading the Torah today, we are to apply it equally to prayer. For prayer is to become an activitypar excellence of absorbing oneself into the mission of self-transformation. Prayer is to be *avodah* *she-balev*, “service of the heart,” in dedication to inner self-transformation in the image of God. When praying in this way, when we speak of Abraham, Isaac, and Jacob, of the exile in Egypt and of the sojourn in the desert, we do not think only in literal terms. Those prayers taken only historically can touch us only from far away, and so merely weakly. We are to resituate those references to the interior of our selves. We interiorize the historical, so that the righteous to be praised and the wicked to be destroyed will both be inside of each of us. As for the wicked outside of us in the world, we can do what we can, but in the end we must let God decide what God is going to do with them. The Jerusalem we ask God to rebuild is a place within us from which our “messianic” selves will emerge and become manifest. “Heavenly Jerusalem” is deep within us. The earthly Jerusalem will be rebuilt only after the heavenly Jerusalem becomes manifest.

Seen in this way, prayer serves the purpose of advancing self-transformation in a number of ways. Each time we pray, praising

192 Pa r t I V. Tor a h To d ay

God invokes an awareness and appreciation of God’s presence and impresses us with the greatness of God. We make ourselves aware of how much we depend on God. We bring to mind why we should become God-like in the first place. God is holy, we proclaim, and so shall we become holy. You might think that our holiness is like God’s, but this is not so. God is not dependent on others for God’s holiness. We are. In praising God, we give ourselves over to God.

Petitioning God serves several purposes. The first is the obvious one of sincerely asking for God’s aid in our personal and the collective’s troubles. But this, the Hasidim taught, should not be the dominant purpose of petitionary prayer. Rather, we are to petition God, above all, so as to proclaim—to God and to ourselves—our dependence on God, including for our ability to overcome our self-centeredness. The very ability to admit how much I am dependent upon God for this, vastly more than upon myself and others upon whom I depend, is the first step in the task of self-decentering.

Second, we pray almost exclusively in the plural, rarely for ourselves alone. We do not pray solipsistically. This constitutes a further measure of self-decentering. The Jews are a community, above all else, and self-transformation ultimately must transform all of society. We pray with communitarian intention, attaching our individual needs to the larger needs of others.

Third, we overlay the literal meaning of the prayers with nonliteral forms denoting our inner lives, just as with the Torah. We beseech God to heal our mental derangement of egocentricity; to give no hope for the slanderers inside each of us; to rebuild the broken temple and restore the kingdom of David in the human psyche.

Fourth, by petitioning God for our needs, we rehearse what *we* must do for others if we are to be *like* God. If we are to be like God, we too must forgive others (and ourselves!). If we are to be like God, we too must attend to the healing of others. If we are to be like God, we too must be absorbed by the suffering of others and concerned for their existential self-exile. We must hear their voices just as we ask God to hear ours. When we beseech God that there be no hope for the “slanderers” within our psyches, we learn to dedicate ourselves to helping others get rid of their inner slanderers. And

C h apt er 10. P r ayer a nd C om m a nd ment s 193

when we ask God to protect the righteous and the pious, we learn that we too must appreciate and protect the righteous and the pious within ourselves and within others. So, petitionary prayer involves at once both a resolve to *be* like God and recognition that for this we are ultimately *not* in our own hands.

Praying gratitude to God includes giving gratitude for the good things God has already done for us. But, again, we thank God also for whatever progress we have made in becoming transformed to a fuller image of God than we had been before. We cannot self-transform without the saving power of God. Thus, we thank God for “Your daily miracles.” We praise God for having *already*taken us out of our own “narrow straits,” meaning Egypt (*metzarim* = *Mitzrayim*). Those narrow straits have no objective existence. They exist only in our minds. They are there only because we allow them to be there, and unfortunately we make peace with that. I am reminded here of a parable attributed to the Baal Shem Tov, which I quote in part:

They are all made by trickery [and are illusory]. Announcements are made that whoever reaches the king will receive riches and honor, and will become a minister to the king. . . . The one who does not really want that who comes to the first wall and sees how high and wide it is and sees the other terrifying things, his heart turns back. . . . However, the son of the king, who yearns for his father comes to the walls and the rivers and the armies and bears and all the terrifying things thinks to himself: “Why do you the merciful the king hide yourself in such hidings? Why have you abandoned me?” . . . With the power of his burning and broken heart to reach his father, the prince applies himself and pushes himself to jump over the walls and rivers. . . . And when his father sees the son’s yearnings and self-sacrifice, the king lifts the illusions and the son sees that there is no wall and no separation, only level ground, gardens, and orchards.1

For the Baal Shem Tov, all the dismaying obstacles between God and us exist only in our minds, and they will be lifted only when we

1 This parable occurs in several versions. This one is my translation from Moshe Haim Ephraim, *Degel* *Machaneh* *Ephraim* (Jerusalem, 1986–1987), section *Ki* *Tavo*, 222 (Hebrew).

194 Pa r t I V. Tor a h To d ay

truly want them, and pray for them, to be lifted. There are no actual impediments. In reality, we are out of Egypt. We are captive only to ourselves and made to do hard labor only by our own invention. In a similar vein, the great thirteenth-century Zen master Dogen Zenji taught that in *zazen* meditation the goal is not to *reach* the Buddha nature, or enlightenment, because the Buddha nature already resides in us. The Buddha nature is already and always here within us. We need only sit and “do nothing” to let all of the “noise” calm down, and come to experience what is there already.2 In a Zen Buddhist chant, “We have nothing to do, nowhere to go.” We are

not really in Egypt at all.

Judaism is not that sanguine about getting out of the Egypt in our minds. Not by sitting only (though meditative “sitting” is acceptable), but by acting, prayer, and self-development we can come to know that God has already taken us out of Egypt. That God has already taken us out of Egypt means that the ground of our being already is God-like, and appearances to the contrary are an illusion with which we too quickly make peace.

All of what I have said invites embellishment by the inventive abilities of the Jewish people to find ways of reading the prayers differently from their standard semantics and intent so as to frame prayer by the desire to self-conversion to becoming God-like.

The prayer book, then, takes place on two levels. On one level we are praying the words that Jews have prayed for hundreds and in some cases thousands of years. This makes them holy words. These words embody a bonding link between God and the Jewish people over the ages. They are the words of Jewish response to the words of divine command. When praying, we imagine the waves crashing back over the Egyptian army, and we can see in our mind’s eye Abraham trekking to the Holy Land, to a place not of his choosing but which God will show him. On the other level, the words of the prayer book assume meaning beyond their standard intent and

2 The most famous of Dogen’s books is *Shobogenzo*, an elaborate presentation of Rinzai (Lin-chi) Zen Buddhism; see Dogen, *Shobogenzo,* *Zen* *Essays* *by* *Dogen*, trans. Thomas Cleary (Honolulu: University of Hawaii Press, 1996).

C h apt er 10. P r ayer a nd C om m a nd ment s 195

semantics. They are words that each person praying must apply to him- or herself within the inner space of his or her own soul.

**The** **Commandments**

We are now to read a narrative of the Torah literally, and directly transfer it to the nonliteral. If so, why should we not also read historically contextualized commandments as nonliteral? When the Torah tells us to observe the seventh day of the week as holy because God rested on that day when God created the world, and we no longer take that historically, then the *mitzvah* to observe the Sabbath should transfer over to nonliteralness along with the six-day creation story. If the Passover saga no longer impresses you as literally true, but is taken in a nonliteral sense, then also the eating of *matzah*, “unleavened bread,” and abstaining from eating leavened bread on Passover too should now be treated as nonliteral. Likewise for all commandments directly tied to historical events. Should they not disappear in their classic forms?

To start with, judging from the main line of scholarship, we should relate to the Torah stories in a number of instances as at least reflecting *something* of historical realities. Also, the creation story reflects the truth of divine creation of the world. So, in those cases there may still be for what to be grateful and to celebrate in a literal fashion, even granted the challenge to Torah as history.

We should note, further, a problem this reasoning would lead us to. If we nonliteralized historically contextual ritual laws, we would have to do the same for historically contextualized *moral* laws, ones that we “like.” Then we would no longer be required to perform those historically contextual *moral* laws in a literal fashion. Consider, for example, the oft-repeated law to love the stranger, not to oppress the stranger, and the like, because *you* *yourselves* *were* *strangers* *in* *Egypt* (Exod. 22:21, 23:9, Lev. 19:434, etc.). The law clearly means literally to enjoin *behavior*, doing acts of kindness, to a stranger. And, this law is clearly historically contextualized. If you doubt there was a significant stay of the Israelites in Egypt, then you should say, in keeping with the objection, that since there was no such thing as the Israelites having significantly been strangers in

196 Pa r t I V. Tor a h To d ay

Egypt, you are not actually, *literally* bound to do anything good for a stranger. I take it that nobody is prepared to make that inference. So, we must be very careful about assessing historically based laws. I want to propose several significant reasons to observe today

in a literal way historically based commandments.

One of those reasons is an admittedly secondary one. There is value in celebrating together with other Jews what Jews have been celebrating for centuries. These celebrations contribute to defining the Jewish ethos as it has been employed in the service of God. This includes joining together with others who remain within a literal belief in the historical credibility of Torah-reported events. In doing so we follow what would be parallel to the advice of the philosopher George Berkeley (1685–1753). Berkeley taught a form of “idealism,” that there were no physical objects outside of their being objects of perception. Berkeley advised those who followed his philosophy to “think with the learned,” that is, to believe there were no physical objects independent of perceivers, human or divine. At the same time, however, he advised the learned to “speak with the vulgar,” that is, to talk, along with the masses, *as* *though* there were independent physical objects.3

We shan’t appropriate the term “the vulgar,” but there is great importance in joining the masses of religious Jews, past and present, who take the Torah to be recounting historical events in a reliable way. The Jews are a single community, with a religion that values communitarian principles. The possibilities of *going* one’s own way are limited, even for a person, or group, who may *think* his or their own way.

However, there is a more basic rationale to present-day observance of the historically contextualized commandments than adherence to what might be called, following Norman Solomon, a “founding myth.” A more fundamental reason for observing the historically based laws is that they constitute *concrete* *enactments* *of* *the* *Torah* *narratives*. As I have urged, we are to read Torah narratives

3 George Berkeley, *A* *Treatise* *Concerning* *the* *Principles* *of* *Human* *Knowledge* (Indianapolis, IN: Hackett, 1982), 41.

C h apt er 10. P r ayer a nd C om m a nd ment s 197

as having significant reference to the interiors of our selves. When we read of the exodus from Egypt, we read so as to acknowledge that each of us is indeed in exile from God. Then we read so as to recognize that it is God who can take us out of that exile with a mighty hand and an outstretched arm. Performing the literal commandments now becomes an active presentation, visualization, and vivid concretization of the veracities embedded in the nonliteral readings. The “literal” commandments when performed are an alive extension of the nonliteral text, when performed with matching consciousness and intention.

The observance of historically contextual commandments drives home, with an experiential wallop, what we read in the Torah narratives. The observance of those commandments makes the narratives have tangible significance for us. They are rituals of absorption and appropriation. When we celebrate the Passover we are absorbing that God, as I have written above, has already taken each of us out of our own and collective Egypt. We acknowledge the inner suffering of slavery that constricts us. We eat the *matzah*, thereby depicting the meagerness of our being when personally and collectively in our slaveries (the unleavened bread we ate *when* *in* *Egypt*), and also depicting the *redemption* from our malaise (the unleavened bread we ate *when* *leaving* *Egypt*). In this way, we also acknowledge a deep truth about our personal and collective lives— that the *very* *same* *thing* that has the power to redeem us also has the power to enslave us. And that applies to our observing the *mitzvah* of eating the *matzah*, and to the other commandments.

The *mitzvoth* are vivid adjuncts to the narratives of the Torah. They carry the narratives forward from the book into our lives. We read of the six-day creation and the Sabbath as an outward projection and move that projection inward. We observe the Sabbath as a concretized performance of our new reading of the six-day creation story. As the *Sefer* *Hachinuch* avows, “After our actions, our hearts follow” (Commandment 16). As I interpret that, in our present context, by acting out the commandment we make the proper impression on our heart, when the actions are done *with* *the* *intent* *of* *internalization*. The mere performance of *mitzvoth* without the express dedication to self-transformation will in most cases

198 Pa r t I V. Tor a h To d ay

achieve little. In truth, then, performance of the commandments remains valid together with the nonliteral application of the Torah narratives.

My saying all of this is not meant in any way to suggest that no additional meaning can be put onto literal observance of historically contextualized commandments. We can, for example, eat the *matzah* also in allegiance to all human beings who suffer enslavement all over the world. That is good and proper. It is a natural expression of fulfilling the command to imitate God’s praiseworthy attributes. There is, though, what should be an even more basic reason for sticking with historically contextualized laws. As I have offered in previous chapters, that the Torah was cast in historical terms was very likely the result of divine accommodation. And the particulars were the result of God agreeing to take up the historical narratives

according to the way people then thought history had gone.

It could very well be that God *used*the historical narratives of the Torah to pictorially present through historical-looking narratives what God wanted to be embedded there. We cannot usually say just what that would be in the mind of God, as Norman Solomon has reminded us in an earlier chapter, but with regard to any specific command neither can we rule that out. The commandment as literally taken could be telling us a nonliteral truth, one we would lose were we to abandon that commandment to the past.

Take the command to love the stranger as an example. Could it not be that God wanted us to love the stranger as a categorical obligation but had to cast that obligation in historical terms for the sake of the times then? So, God tied that obligation to the story of the Israelite stay in Egypt. That would be why you should continue to love the stranger even if you have problems about the extent of the historical truth of the Egypt saga. You would be observing the commandment as God had intended it, while God had contextualized it out of a policy of divine accommodation. This would require us to observe that commandment *whatever* our historical beliefs. In principle, the same for any other command.

The Torah is God’s Torah. We are not “dialogue partners” with God, creating the commandments by ourselves alone in response to God’s manifest presence. On my conception of Providence, the

C h apt er 10. P r ayer a nd C om m a nd ment s 199

giver of the Torah, the source of our obligation to its particulars, is God. Particularly since we can interiorize our outer observance of historically textualized commandments, it is mandatory upon us to retain all such commandments, as far as the challenge to the historical veracity of the Torah is concerned.

But, that is not the only concern here. There looms nearby another worry. I refer to the matter of laws that emerging moral standards perceive to be enjoining immoral behavior. With regard to those laws, if, as I urge, the present-day problematics of Torah and history must be from God, then the newly emerging moral consciousness, eclipsing previous moral sensibilities, the worry goes, should *also* be from God. Why not? The Torah is God’s Torah, but God could take us beyond immoral commandments in the same way that God can take us beyond literal history. So, we should be able to treat those commandments that “we” now deem to be immoral as nullified, or at least give them a new nonliteral form of observance.

Surely this reasoning has some merit, but it ignores crucial differences between command revision for moral reasons and narrative revision because of historical research. When weighing the moral standing of a command, *in* *general* we must be very careful to separate moral *trends* from settled moral sensibilities. We have to realize that moral intuitions are on shakier ground than solid scholarly conclusions about history. This is especially so when the clash is between extreme liberal values, granting excessive privilege to individual rights, and communitarian values that traditional Judaism honors.4 And this is especially so when relevant moral issues are in hot dispute between otherwise respectable, sincere parties. Traditional Jews therefore need to go slowly when concluding that a command should be abolished in its literal form.

True, traditional Jews should also go slowly when weighing up evidence for the historical unreliability of the Torah. The conviction for my intended readership is, though, that the empirical evidence against historical reliability is just too strong to simply put it aside

4 See Chapter 9 for my short review of liberalism and communitarianism.

200 Pa r t I V. Tor a h To d ay

to wait for future developments. The view against the detailed reliability of Torah history has been held and been building for well over a century on increasingly new evidence. It is the settled view of a wide swath of researchers, past and present, religious and atheist, Christian and Jew, archeologist and linguist, American and European, with only minor significant dissent among the scholars. There are fads in science just as there are in morals, but the conviction here is that we are well beyond the point of unsettled faddish speculation. We are dealing with a well-settled, well-attested scholarly conclusion.

My answer, though, will not sufice when we have before us a command we judge, by contemporary standards, to be *clearly* and *strongly* immoral in our time. This might be, for example, the command that makes marriage to be a man “taking” a woman, and the command that a man can divorce a woman but a woman cannot divorce a man. Besides the status afforded to a woman in these enactments relative to the man, these laws result today in a clear moral wrong and much suffering when a man refuses to grant his wife a divorce when she wants one. The present mechanisms of Jewish law currently in place are simply inadequate to changing the too often immoral consequences of these laws. Should we not conclude that the new moral outlook that has slowly risen to awareness *too* is from God? Should we not be *morally* obligated to say that God has brought us to realize that these laws are to be annulled in their application?

No. We should not. I want to note that with the destruction of the temple, most of the morally problematic laws, at least by today’s progressive consciousness, are no longer observable. We no longer put people to death for a large number of transgressions. We do not put the daughter of a priest to death for shaming her father by sexual misconduct. We no longer have the trial of the suspected wife. And so on. (And there are laws suspended for other reasons, outside the lack of a temple.) Maybe, the destruction of the temple was meant by God to bring with it a new reality with regard to Torah and morality. And maybe, when the temple will be rebuilt, those laws, in addition to remaining morally problematic ones, will become operative again, but will shed their outer garments of

C h apt er 10. P r ayer a nd C om m a nd ment s 201

observance and be reinstated in more spiritual forms. Or, maybe the relevant verses for all such laws will be given new interpretations on a different moral plane so that those commandments will no longer be observed in ways they once were. If so, then we have an obligation meanwhile to observe those remaining commandments God has not seen to render inoperative in their literal form forever. And, with regard to those clearly and strongly deemed immoral today, we are morally obligated to put in place new mechanisms to avoid having to implement those laws.

Even without that speculation, we must acknowledge, once again, that the Torah is *God’s* Torah. So, regarding moral scruples our efforts should be devoted to preserving the remaining ostensibly immoral commands without having to transgress moral scruples— and that is by maintaining an *in* *principle* obligation to a command, while determined to employ lawful maneuverings to avoid its implementation. “Where there is a will, there is a way.” That is the theologically right path. Transforming the literal performance of commands we deem morally deficient into something else is a far more radical step than transforming narratives into nonliteral counterparts. The Torah is God’s Torah. We are not “partners” with God, creating the commandments all by ourselves in response to God’s manifest presence. We are not in a position to move away from the *obligation* of a command to transform it to something else. We *can* sidestep its implementation in deference to strong, clear new moral perceptions.

The way to proceed in the *clear* cases is to respect our deepest moral convictions and put in place legal techniques for circumventing the problematic laws. “Where there is a will, there is a way.” To refer back to my earlier example of marriage, the way is to put in place practices to prevent marriage laws from having the serious negative consequences they too often have; at the same time taking a keen responsibility to the Torah that came about through God’s guiding providence; and to do so praying to God to purify our intentions and to bless our practice.

I do not enter here into the issue of how such commandments could find their way into the Torah in the first place. This is a lacuna of this book for which I must apologize. A satisfactory treatment

202 Pa r t I V. Tor a h To d ay

of this issue would require entering into further issues of divine accommodation; the focus of morality at the time of the propagation of a law as compared to the focus today; whether the same law can be moral at one time and immoral at another, either depending on or independently of changing circumstances; to what extent laws in question ever were applied in practice; what theological purposes could have been served for the “masses” by a particular law; and more. As of this writing, such a project is beyond my capacity to undertake. I have faith, though, that somehow, at some time, this will be resolved in a satisfactory way.

This book began with a “Satisfaction Criterion” for any acceptable understanding of traditional Judaism:

Satisfaction Criterion: A contemporary approach to traditional Judaism must leave one with a good religious reason to make great personal sacrifices for the sake of his or her Judaism and to teach one’s children (and others, to a degree) to make similar sacrifices.

I noted that great personal sacrifice has gradations, from willing to extremely inconvenience one’s time, to spending large sums of money that one might not quite be able to afford, to sacrificing meaningful relationships, if it comes to that, up to and including sacrificing one’s life for one’s Judaism.

The present theology of Torah as history meets the Satisfaction Criterion. Nothing need change in that regard on account of the eclipse of the historical reliability of the Torah. The present theology means that a commitment to God and to the Torah can now operate apart from particular historical facts, and that Jews can now dedicate themselves to self-transformation in the image of God. If the Torah was ever worth serious sacrifice, it was because it was the will of God for the Jewish people. Now, it continues to be worth that sacrifice, because it continues to be the will of God for the Jewish people.

**b** **I** **b** **l** **I** **o** **g** **r** **a** **P** **h** **y**

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204 B i bl iog r aphy

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B i bl iog r aphy 205

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212 B i bl iog r aphy

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**I** **n** **d** **e** **x**

A

Abba, Rabbi, 139 Abraham, 11

battle with the kings, 35–36 on historical validity of, 33–34

Abraham ibn Ezra, 44, 117 Abramson, Shraga, 116 Albright, William Foxwell, 59 Alston, William, 19

ancient cosmogony, 32 apologetic responses, 22

discrepancy between the Torah chronology and the archeological dating, 69–70

exodus story, 59–60, 62–65 on historical correctness of

the Bible on the patriarchs, 59–60

knowledge about ancient Egypt, 70–72

problems with, 59–60

Rohl’s chronology of ancient Egypt, 67–68

stories of the Pentateuch, 65–66 view of Mosaic authorship,

60–61 apologetics, 22 Arameans, 35

Asher, Bahya ben, 95 Ashlag, Yehuda, 140 Ayer, A. J., 17

B

Babylonian Talmud, 113 Bahya ibn Pakuda, 117

*Begriff,* 131, 141

Benin, Stephen, 112, 115–116 Berkeley, George, 196 Berman, Joshua, 70-71 biblical stories, ambiguity

about patriarchs, 33–36 Abraham, on historical validity

of, 33–34

creation story of Genesis, 29–32 Egypt-exodus-desert story, on

historical accuracy of, 36–40 flood, as depicted in Genesis,

32

Chronicles, interpretation of Jewish texts, 133–134

Chron. 4:18, 133 Book of Ezekiel, 132–133

Ezek. 26:1, 132

Book of The Mormon, 50 Breuer, Mordechai, 52 Buber, Martin, 150 Buckholtz, Charlie, 154 Bultmann, Rudolf, 46 Butzer, Karl, 38

C

Carmy, Shalom, 53 Cassuto, Umberto, 41–42 Christian evangelicals, 59

commandments, present-day observance of historically contextualized, 195–202

communitrianism Continuous Spontaneous

Localization Model, 101

I ndex 215

Craver, Carl, 105

creation story of Genesis, 29–32 Genesis 1:20, 30–31

Genesis 2, 31 Genesis 5, 32

Genesis 26 and 27, 31 Crick, Francis, 106

D

Dan in Genesis, 35 Davidson, Herbert, 136 Davies, Phillip, 34 Decalogue (the Ten

Commandments), 64 Delmedigo, Joseph Solomon,

123–124 Deuteronomy, 161

Deut. 1:1–5, 43

Deut. 2:10–12, 20–23, 65 Deut. 6:5, 16

Deut. 30:12, 153 Deut. 16:21 to 17:1, 43

Dever, William, 36

divine accommodation, 24, 128, 151, 170

applied to anthropomorphic language, 117–118

concession of meat eating, 126 definition, 112

in explaining commandments, 124–126

idol worship, 119–120 midrashic instance of, 115–116 Moses’s performance of

miracles, 121–122 temple sacrifices, 116, 120 in Torah, 112–113

Divine Providence, 24, 128, 143, 148, 151, 170

conceptions of downward causation, 105–106

downward causation in neurobiology, 105–106

downward holistic causation, 107 element of “chance” in

mechanisms of evolution, 95–96

Hellenistic allegorical interpretations, 131–132

maximalist interpretation of, 95 minimalist interpretation of,

93, 95

moderate providence, 97 naturalism, divine intervention

in, 98–99 nondeterminist minimalist

interpretation of, 94 nonhistorical understanding

of traditional Jewish texts, 133–144

noninterventionist moderate divine providence, 103–111

parallels between Jewish biblical exegesis and Christian and Islamic developments, 145–146

preservation of species, 95 problem of evil, 92–93 quantum collapse, divine

intervention in, 101–103 *Stanford* *Encyclopedia* *of*

*Philosophy* definition, 93 “top-down” or “downward

causation,” 103–111 truths established by science,

divine intervention in, 100–101

Documentary Hypothesis, 41, 52–53, 60–61

Dogen Zenji, 194

E

Egypt-exodus-desert story, on historical accuracy of, 36–40

apologetic responses, 59–60, 62–65

216 I ndex

Eleazar, Rabbi, 115 Eliezer, Rabbi, 153 Emmeche, Claus, 106 *emunah*, 12–13, 128

epistemic naturalism, 98–99 Exodus

Exod. 1, 40 Exod. 2, 37

Exod. 12:29–42, 43 Exod. 12:43–51, 43 Exod. 13, 40 Exod. 13:1–16, 43 Exod. 13:17, 117 Exod. 15:14, 65 Exod. 15:27, 37 Exod. 18:1, 55 Exod. 32, 61 Exod. 33:6, 63

F

faith responses, 21–22 soft

hard

Finkelstein, Israel, 34

flood, as depicted in Genesis, 32, 54, 56

Form Criticism, 41

founding myth, 25, 156, 158, 191, 196

freely willed human action, 110 Frerichs, Ernest, 39

G

Geisler, Norman, 70 Genesis

Gen. 1, 30 Gen. 14, 35–36

Gen. 14:2, 3, 7, 8, 17, 65 Gen. 14:14, 35, 66

Gen. 18:1, 137 Gen. 24, 35, 61 Gen. 26:1, 35

Gen. 32:25, 137 Gen. 33:36, 65 Gen. 37–50, 61 Gen. 47:9, 36

Gersonides, 134 God concept, 20–21

as an actual being, 18 analogical and functionalist

conceptions, 19–20 epistemologies, 18 existential religious

consciousness of God, 16 in Jewish history, 18–19 metaphysical God, 17–18 mysterious otherness of God,

19

nonrealist understanding of, 15–17

as a “regulative concept,” 16 within religious practice, 18

Goshen, 37

Gospels, on historical integrity of, 46

Graf, Carl, 41 Gunkel, Hermann, 41

H

*Hachinuch,* *Sefer,* 16, 197 *halitzah,* performance of, 152n6 Hard Faith-Response, 21–22,

45–51, 58, 90 acceptability of, 50–51 ationality of, 47–49 Kugel’s views, 45–46

Hartman, Tova, 154 Hasidic literature, 25–26 Hasidism, 95, 142 Hebrew Bible, 34

Hegel, George131

Heschel, Abraham Joshua, 160 Hillel, house of, 154 Hoffmeier, James, 61, 63 Holden, Joseph, 70

I ndex 217

holistic empiricism, 98–99 Hume, David, 17, 49 Hyatt, J. P., 64

I

Ile’a, Rabbi, 15 *imitatio* *Dei,* 26

interventionist providence, 109 Israelites in Egypt, 37–38

J

Jacob, 11

Jacob, Benno, 41 Jeremiah 39:2, 132 Jeremiah, Rabbi, 153

Jewish texts, nonhistorical understanding of, 133–144

book of Chronicles, interpretation of, 133–134

Hasidic interpretations, 141–144

On historicity of Job, 132–133 kabbalistic interpretations,

137–141

Maimonides, interpretation of, 134–137

objections, 144–148

Zohar interpretations, 138–140 Joseph ibn Kaspi, 122–123 Joshua, Rabbi, 153

Judah ben Samuel, He-Hasid, 44 Judah Halevi, 23, 73, 134

Judah ibn Kuraish, 116 Judaism, 24

K

Kant, Immanuel, 17 Kellner, Menachem, 129 Kitchen, Kenneth, 61, 65–67

Kook, Abraham Isaac, 16, 124–125 Koppe, Simo, 106

Korah, story of, 43 Kugel, James, 45–46

Kuzari Argument, 23

evidence and counterevidence, 75–76

on historical accuracy of the Torah, 90

on Judaism, 77n3

“Kuzari Principle” (KP), 73–77, 80–81

Lotus Sutra of Mahayana Buddhism, application to, 78–80

on national unforgettable, 81–85

Sinai story, application to, 73–77, 80–83, 89–90

Kwan, Kai-Man, 98

L

law of conservation of energy, 100 Leiman, Shnayer, 53

Lemche, Niels, 34 Levenson, Jon, 47 Leviticus 7:1–38, 43 Leviticus Rabbah, 115–116 liberalism

logical positivists, 17

M

Maimonides, 16, 119, 134 accounts of miraculous events,

87–88

allegorical interpretations of biblical passages, 134–137

on educating people, 121 on garden of Eden, 135 *Guide* *of* *the* *Perplexed,* 87, 94,

116, 118, 121, 131, 135–136 Sabian culture, 119

Malbim, Meir Leibush 32 Mattsson, Mormon Hans, 50 maximal providence, 24 metaphysical blindness, 147 metaphysical God, 17–18

218 I ndex

metaphysical naturalism, 98 methodological naturalism, 99 *Michiltah,* 55

minimal providence, 24 Mitchell, Kevin, 105 *mitzvah* *t’midit,* 16

*mitzvoth* (“commandments”), 12, 26, 189, 197

moderate divine providence, 24, 97, 99, 101, 109, 146, 151

Moore, G. E., 49 *moral* laws, 195

Mosaic texts, question of authorship, 40–44

apologetic responses, 60–61 Soft Faith-Response, 52–54

Moses, 11, 33, 44, 65–67, 82, 88, 113, 121, 123, 133, 135, 142, 161

mythic truth, 25

N

Nachmanides, 94–95 naturalism, 24, 98–99, 107 naturalistic *emunah,* 107

Neo-Documentary Hypothesis, 162, 162n18

Nissim ben Jacob, Gaon, 117 Nissim of Marseille, 82 noninterventionist moderate

divine providence, 103–111 noninterventionist providence,

101

nonrealist understanding of God, 15–17

Novick, Tzvi, 113 Nozick, Robert, 48 Numbers

Num. 16, 61 Num. 22, 40 Num. 26, 38 Num. 31, 168 Num. 31:9, 142

O

Orthodox Jews, 11, 129

P

Palestinian Talmud, 132 participatory theology, 25 patriarchs, on historical

correctness of, 33–36, 59 Peacocke, Arthur, 107–108 Philistines, 35

Philo of Alexandria, 113 Plantinga, Alvin, 46, 100 prayers, present understandings

of, 26, 189–195 *avodah* *she-balev,* 191 Hasidic proposal, 191 levels of, 194–195 literal meaning of, 192 Morning Prayer, 190 purpose of, 191–192 in Zen Buddhism, 194

Principle of Mutable Eternity, 142 Psalm 16:8, 16

Q

quantum collapse, 101–103 quantum providence, 101–103

R

radioactive material, decay of, 96 half-life decay, 96

rationality, 47–49 Redmount, Carol, 36, 84 Reform Judaism, 148, 153 Reznick, Leibel, 68

Rohl, David, 62 Rosenzweig, Franz, 160 Ross, Tamar

Rudavsky, Tamar, 136

S

Saadia, Gaon 134 Sabian culture, 119

I ndex 219

Samuel of Carcassonne, 121 Sarkar, Sahotra, 147 Satisfaction Criterion, 13–15,

159, 202 Schimmel, Solomon, 47 Seeskin, Kenneth, 136 Segal, Moshe, 42–43 self-identity, 15

self-transformation, 26, 192 Shanks, Herschel, 61

on exodus story, 62–63 Simon ben Lakish, Rabbi, 132 *Siddur,* 189

Silberman, Neil Asher, 34 Simeon, Rabbi, 115

Sinai revelation, 23, 36

Kuzari Principle (KP) applied to, 74–77, 80–83, 89–90

Sommer’s view, 159–165 Soft Faith-Response, 21–22,

51–58

addressing of scholarship, 51 example of, 52–54

issue with citations, 55 limitations of, 56 sociopolitical explanations,

51–52

Solomon, Norman, 169, 196 Sommer, Benjamin, 25, 159–165 Sperry, Roger, 104

Statman, Daniel, 154 Stjernfelt, Frederik, 106

T

Taanit, Tractate, 4:5, 132 Tanhum bar Hanilai, Rabbi,

132–133

Ten Commandments, 11 theological tools, 23

theory of evolution by natural selection, 147

Thomas Aquinas, 19 Thompson, Thomas, 34

top-down causality, 25, 103–111, 130–131, 146

top-down control, 104 Torah, 11–12, 25, 34, 40

Abraham ibn Ezra, 117 common superstitions, 123 against the Evil Inclination,

114–115 Hellenistic allegorical

interpretations, 131–132 language of, 113–114, 116–117 nonhistorical readings of,

144–145

Temple sacrifices, 116 Torah, on historical validity of,

167–168

On accuracy of story of Sodom and Gomorrah, 68–70

approach of generations towards, 129–131

authorship of, 40–44, 52–54, 60–61

book of Chronicles, 133–134 contrast between liberalism

and communitarianism, 171–188, 199

creation, 29–32

description of life forms, 30–31 Egypt-exodus-desert story, on

historical accuracy of, 36–40 flood, 32

Hasidic interpretations, 141–144

On historicity of Job, 132–133 inconsistencies between

genealogical lists, 54n1 kabbalistic interpretations,

137–141 Maimonides, 134–137 objections, 144–148 patriarchs, 33–36

story of Sodom and Gomorrah, 68–69

220 I ndex

Zohar interpretations, 138–140

Torah, holiness of, 25, 149–152, 154–155

“deistic” concept of revelation, 153

as a “myth of origin,” 155–159 Orthodox Jews *vs* Reform Jews,

153

as a process of Providence, 152 Ross, Tamar, view, 159n14 Sommer’s view, 159–165

Torah narratives, 21, 23, 29, 44, 56, 62, 75, 128, 141, 191, 196–198

Baal Shem Tov, Israel, 95, 193 traditional Judaism, 11–12

Satisfaction Criterion, 13–15 Twersky, Isadore, 122

U

ultimate commitment, 14–15 “ultimist” religious belief, 14–15

V

van Seters, John, 34 *Vorstellung,* 131, 141

W

Ward, William, 39 Whybray, R.N., 41

Y

Yaakov Yosef of Polnoya, 141–143

Z

*zazen* meditation, 194