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ORTHODOX REACTIONS TO THE CHALLENGE OF BIBLICAL CRITICISM

I

Many of the most famous Jewish commentaries on the Bible open with an introduction in which the author sets forth the basic principles which have guided him in his work. Yet the most famous of the classical Jewish Bible commentaries, that of Rashi, seems to completely ignore this important task. It would appear that we look in vain for a general introduction to Rashi's commentary on the Pentateuch. Yet, Louis Rabinowitz has pointed out that there is an introduction, albeit a slightly hidden one, in the form of Rashi's digression on his comment to the first verse of Genesis.¹ Here, as is well known, Rashi quotes a "Rabbi Isaac" who asks why does the Torah begin with Genesis since one would have expected the Scriptures to begin with the twelfth chapter of Exodus where Israel's first commandment is recorded. At first glance it would appear that Rashi is insinuating that the narratives of Genesis are superfluous, yet if we look deeper it is apparent that Rashi is making a profound observation about the "salient fact of the sole meaning of the Torah to the observant Jew." As Rabinowitz says:

It is not a literary document; it is not an historical record; it is not a source book of archeology. All those and other innumerable aspects of the Bible have their value and place. To the observant Jew, however, they are insignificant compared with its main purpose: "to give the commandments which the children of Israel are enjoined to observe." It is not sufficient even to say that the Torah is the revealed word of God. That constitutes merely the *Nishma* (we shall hear) and the

TRADITION: *A Journal of Orthodox Thought*

Nishma is meaningless unless it is joined to the *Na'aseh* (we shall do). Thus indicating to him "the way that he should go and the things which he should do."²

In this interpretation of Rashi's digression we have an implicit introduction to his famous commentary. If our assumption is correct, Rashi's remarks have set forth at least three "basic and inviolable principles." The first is the doctrine of *Torah min ha-shamayim*—that the ultimate source of the Torah is Divine. The second principle would hold the Massoretic text to be the only authentic *textus receptus* of the Torah. And finally, Rashi would insist that the only valid method of interpreting the Torah for Jewish purposes is the one which is based on the *Torah she-baal peh*; the same Oral Law which is eventually consolidated in the *Halakhah*. According to Rabinowitz, "these constitute, to my mind, the three pillars upon which the whole conception of Traditional Judaism stands. The demolition or the weakening of any one of them causes the whole magnificent edifice to come crashing down, leaving only debris behind."³

The purpose of this article is to examine the nature of the above contentions. If, as Rabinowitz and David Hoffmann before him, have argued that the above are essential tenets of any traditional understanding of the Bible, then modern Orthodox efforts in the field of Biblical scholarship may be severely curtailed. On the basis of opinions expressed in Orthodox periodicals both in the United States and in Israel, we will attempt to analyze some of the efforts of traditional scholarship to account for modern developments in Biblical studies over the last hundred years.

II

Before we examine recent opinion in this area, it might be useful to briefly summarize the classical Rabbinic attitude toward the nature, origin, and composition of the Torah. For, while scholars have gained many new insights into the Bible during the last century, traditional Judaism has often been forced to remain outside the mainstream of creative "scientific" Biblical scholarship. Being committed to certain Talmudic views, re-

Orthodox Reactions to the Challenge of Biblical Criticism

ligious Jews have ignored theories whose assumptions contradicted these views.

In Rabbinic times, with the exception of the problem of the last eight verses of Deuteronomy, the question of the Mosaic authorship of the Pentateuch was not raised by anyone.⁴ The polemic in some well known Talmudic verses does not reflect the Rabbis' attempt to establish the Mosaic authorship of the Pentateuch, rather, it serves to emphasize the idea that Moses wrote the first five books ascribed to him by tradition at Divine dictation and did not invent them himself.⁵ The precise nature of the Divine communication is rarely held to be the subject of definition, yet most traditional commentators insist, following Numbers 12: 6-8, that however this verse is to be interpreted, at the minimum it means that the manner of God's revelation to Moses differed from that given to any other prophet.⁶

The Talmud also mentions a debate among Palestinian teachers as to how the Torah was given.⁷ Did it come to Moses all at once or was it composed at different times during the Israelites' stay in the wilderness? Yet this famous passage which mentions the possibility of the Torah being given in separate scrolls offers little consolation for those moderns who would like to read in an *asmachta* for the documentary hypothesis. Instead it offers evidence that the Rabbis were aware of the inadequacy of the term *Torah mi-Sinai*. Actually *Torah mi-Sinai* is only a loose appellation for the more exact phrase *Torah min ha shamayim*, since according to internal evidence, much of the Torah was given after Sinai (i.e., Num. 10:11, 27:5, 9:9-14, 24:10-16; according to the text, much of Deuteronomy, for example, seems to have been spoken "eleven days journey from Horeb," cf. Deut. 1:2). Using the term *Torah min-ha-Shamayim* then would be a more exact way of indicating the traditional idea that by the death of Moses the whole Pentateuch was complete and was divinely revealed by God to His prophet.⁸

The second main area of "traditional doctrine" confronting the modern Orthodox scholar involves the central role which the Massoretic text must occupy in any traditional treatment of the Bible. The obvious implication of the formulation of Maimonides' eighth article of faith is that the text of the Torah in our

hands today is the identical text which Moses had in his possession. Thus an abstract of Maimonides' principle in the prayer-book reads, "I believe with perfect faith that the whole Torah now in our possession, is the same that was given to Moses our teacher, peace be unto him." According to Louis Jacobs, who presents an excellent summary of the history of "lower criticism," "such a view can only be maintained today by those totally unacquainted with the history of the Biblical text."⁹ It is beyond the scope of this article to go into detail regarding the whole question of different versions of the Biblical text. It may suffice to note, however, that whereas scholars of a generation ago might have been quite ready to amend the Massoretic text on the basis of variant readings in the Septuagint or in other recensions, scholars today are much more cautious. The Massoretic text has received a great deal more respect than it once had. The Scandinavian scholar H. S. Nyberg seems to represent a view which has gained considerable following in this generation's reaction to the excesses of the nineteenth century. After remarking that many of the unsound methods of the last century's Biblical criticism were also reflected in an age when classical philologists, too, were offering bold but baseless emendations and conjectures, (he mentions a scholar who made seven hundred revisions in Horace and claimed that *Paradise Lost* was full of later interpolations) Nyberg concludes that "in the end, we should remember a good old philological rule; when one does not understand something, one should first mistrust oneself and not the text."¹⁰

It is on the basis of contemporary trends which regard the Massoretic text with increased respect, that Orthodox scholars such as Max Kapustin are able to add a bit more credence to the traditional assumption, accepted as a cardinal principle by David Hoffmann,¹¹ regarding the absolute integrity of the Massoretic text. According to Rabbinic views, the Massorah is as old as the Bible itself. Thus Kapustin, paraphrasing Hoffmann, remarks "even if we had to concede that in certain places the text has not remained inviolate, we must, on the other hand, concede that we are lacking all means to restore a text written under *ruach ha-kodesh*. Every conjecture, no matter by how

Orthodox Reactions to the Challenge of Biblical Criticism

many exegetical, historical, and critical arguments it may be supported, does not offer us even the probability that the prophet or the writer of Holy Scriptures wrote in this form and not as in the text before us."¹² Rabinowitz carries this view even further. While he admits that there are differences between the Massoretic text and other versions, he terms these differences "insignificant," and goes on to say that they are "so comparatively insignificant as to have completely demolished the glittering but unsubstantial edifice of 'lower criticism' so ingeniously constructed during the last century."¹³ He cites what is now generally admitted by most scholars familiar with the transmission of the Biblical text; that due to the great efforts of the scribes, the Biblical text is one of the best preserved documents in our possession. While Rabinowitz admits that there are variations to our Biblical text in versions cited in the Talmud and in Medieval texts, he denies that they have any real importance. They are "wholly confined to full and defective orthography . . . there are no theological problems connected with these minor *variae lectiones* or rather orthographical variants . . ."¹⁴

Despite the credibility which Orthodoxy claims about the essential reliability that the Massoretic text now possess, and despite the very great degree of caution in emendation advised by many scholars, it is still "quite impossible to dismiss every emendation of the Massoretic text contained in Kittel's *Biblia Hebraica*, based on the ancient versions. And there is no serious Bible scholar in the world who would consider such an outright dismissal as anything but a complete betrayal of the scholarly ideal. That the Massoretic text is always correct and that all ancient variants are due to error is a belief so preposterous that it would hardly have been necessary to refute it were it not for the fact that it is implied in the standard formulation of the eighth article of the faith."¹⁵

The traditionalist arguments for the complete reliability of the Massoretic text which we have cited above have been based either on dogmatic grounds (i.e., Maimonides), or on quasi-pragmatic arguments (i.e., Kapustin—"we . . . must concede that we are lacking all means to restore a text written under *ruach ha kodesh*"), yet modern philology, despite its own admoni-

tions of caution, does have “tentative” rules for explaining how it came about that errors may have crept into the text.¹⁶

A third main area which might be called a basic and inviolable principle for traditional Judaism concerns the nature of the *Torah she baal peh*, or Oral Law and its relationship to the *Torah she-bktav*, or Written Law. Rabbinic teachings have consistently held that both the Written and Oral Torahs were revealed to Moses on Sinai¹⁷ (and both were faithfully passed down from generation to generation). There is, however, an interesting dispute between Rabbi Akiva and Rabbi Ishmael as to whether only the general principles of the laws were given on Sinai (the view of the latter), with the details given later in the Tent of Meeting, or whether the details, too, were given at Sinai.¹⁸ Whatever the precise nature of God’s revelation of the Oral Torah with the Written, its practical application in specific cases was of the utmost importance. Therefore the complementary function of the Oral Law and its Divine status has always been a crucial assumption in the Jewish tradition. Regarding the determining of God’s revelation for definite instances, Hoffmann says

wherever this (i.e., God’s revelation in any specific case) has not been expressed with sufficient clarity in the words of the text, it is revealed to us through the Oral Law. The task of the commentator consists of recognizing in the relevant legal passages why a specific idea was expressed in a specific form of speech or through a specific choice of expression.¹⁹

According to this view, there are no contradictions between the text of the Torah and the oral tradition. Instead of “distorting the words of the text,” Hoffmann bids the Jewish scholar to give his attention to the rules of interpretation (i.e., the various *Middot* of Rabbi Ishmael) which apply to internal differences within the Bible itself.²⁰

Yet while the only acceptable interpretation of the Torah for *arriving at halakhah* is the Oral Law, there are other acceptable interpretations for other purposes. Rabinowitz categorically states that “there can be no shadow of doubt that one is free to interpret the Torah otherwise than in accordance with the Ha-

Orthodox Reactions to the Challenge of Biblical Criticism

lakhah derived from it, *provided that that interpretation is not regarded as halakhically binding . . .*"²¹

Thus as we pointed out at the beginning of this article, the traditional Jewish attitude toward the Bible sees an intimate connection between a sacred text and a holy law. The Torah may be *min ha-shamayim*, but it is also "very near (to man) in order that he may observe it." Thus one cardinal requirement for any Orthodox Bible scholar is a thorough familiarity with the *halakhot* which form the extensions of the sacred text. David Hoffmann, often cited as the paradigm of the modern Orthodox Bible scholar, states this clearly when he says,

only through complete familiarity with this master key to the understanding of the laws can he correctly grasp both their content and their literal meaning. Any commentary on the laws of the Pentateuch which has been compiled without these premises can only be considered as a complete failure from the Jewish point of view . . .²²

This ideal of harmonization is a very important goal for the traditional Jew, yet its realization both in the areas of *Torah she bktav* and *Torah she-baal peh* is not so simple. Jacob Katz, the well known Israeli sociologist, himself an observant Jew, states this poignantly in his reaction to an article by Mordecai Breuer in the Israeli religious journal *Deot*. "There is before us a contradiction," he says, "between the method by which we investigate in science, and our general religious approach—evident by our desiring a religious life based on the Jewish tradition." This fact, he feels, presents the modern religious Jew with some very difficult questions which go beyond the problems raised by Biblical criticism. We reach conclusions in our scientific investigations of the development of the Jewish religion which are at odds with the traditional way that our Sages understood them. According to Katz, the more disturbing problem is not Biblical criticism, but one posed by Orthodox scholars who present considerable evidence that certain basic hermeneutical devices used by the Rabbis underwent a process of development and that at one time they were not in use. This brings up serious difficulties for practical life—for deciding the halakhah. "It is not simply a question of Edomite chronology,"

TRADITION: *A Journal of Orthodox Thought*

Katz points out, "rather it touches on our everyday life as Jews."²³

III

These three principles—*Torah min-ha shamayim*, the absolute integrity of the Massoretic text, and the unity of both the Written and Oral Laws—are common to almost all traditional treatments of Scripture both in Rabbinic times and in our own day. There is another area, not so well known and not always openly acknowledged by all Orthodox thinkers, which can be seen to flow almost organically from the traditional assumptions. This is *Torat ha-Sod*, or the idea of the Primordial Torah. It is an admittedly mystical doctrine which often causes a great deal of discomfort to Orthodox rationalists. But we find ample evidence in Rabbinic sources for the germs of this same thought. According to some of the Sages, Moses wrote the Pentateuch in the third person because the Torah preceded the creation of the world, to say nothing of the birth of Moses.²⁴ This Primordial Torah, while in existence long before Moses, could not be read by him and had to be dictated by God. According to the Ramban, the nature of the hints by means of which these profound mysteries are referred to in the Torah, often consists of such things as the use of special letters, larger or smaller than others, in the numerical value of words and letters, and even in the adornment found on the Hebrew script of a Torah scroll. From this also stems the idea that the whole Torah is composed of letters which combine to form the Divine Name.²⁵

This mystical idea of *Torat ha Sod* goes far beyond Maimonides' eighth principle and has often been behind the staunchest Orthodox efforts not to concede anything to even the mildest textual critics of the Bible. Louis Jacobs points out that this metaphysical conception of the Torah is not something which belongs to past ages but "to this day there are to be found devout Jews who remain unmoved by such matters as contradictions both in different parts of the Pentateuch and by the findings of modern science in their belief that the Torah is no factual account of ancient events alone (though, of course, these

Orthodox Reactions to the Challenge of Biblical Criticism

events will not be denied) but a Divine text of the profoundest meaning containing sublime mysteries beyond all human ken."²⁶ We have ample evidence of the persistence of this medieval mystical view, even in non-mystical circles in our own day. The Chafetz Chayim, the greatly revered twentieth century leader of Orthodox Jewry who died in 1933, compared the Torah to an architect's plan. A scroll from which even a single letter is missing is invalid since "a single letter represents a portion of the universe, much as a stroke or line in the architect's plan represents a whole wall in the completed building."²⁷

Actually one of the most daring (or perhaps bizzare) attempts to reconcile concepts of traditional faith with the problems aroused by nineteenth century Biblical criticism, is one which has drawn heavily on this idea of *Torat ha Sod*. This is the effort of Rabbi Modecai Breuer (who resides in Israel and is a descendant of the famous German Orthodox thinker, Yitzhak Breuer) to accept almost religiously all the contradictions and documentary evidence cited by Julius Wellhausen, while at the same time, upholding the Divine nature of the Torah and its Mosaic authorship.²⁸ Thus, while Breuer accepts all of Wellhausen's difficulties as "real," he also states emphatically that "even if all the arguments of Biblical criticism are proven correct, this still does not at all even touch the pure Faith of Israel" since the Faith of Israel holds that the Torah, which came from "the mouth of God to the ears of Moses, is from heaven and is previous to the creation of the world." He argues further that if one really holds that the origin of the Torah is to be found in a Transcendental Source and that it was clearly revealed to Moses in a miraculous moment of prophecy, what ultimate importance are historical contradictions and differences in style uncovered by the 'scientific study of the Bible.' "

Perhaps in response to those who argue that the style of the Pentateuch is obviously later than Moses, Breuer, the man of faith, asks: "Did Moses invent and edit the Torah with his own mind that we would expect to find in it signs of his personality and historical period?" And rhetorically he adds: "If the Torah is from God does it have to show signs of Moses' own personality?" Or perhaps God is obliged to reveal himself in what ap-

pears to us to be one homogenous style. Different layers, sources or styles are uncovered by reason (which operates according to its own indigenous rules); “but if faith says that this Torah which is in our hands transcends nature and human reason, then reason is not necessarily discredited, what is denied is its relevance to the particular book called the Torah.” The faith of Israel, according to Rav Breuer, is not dependent on the ingenuity of conservative apologetics (e.g., David Hoffmann) or humanistic commentaries (e.g., S. R. Hirsch). Only those of “small faith” (*ktane ha emunah*) are frightened by the logical conclusions of Biblical criticism.

Professor Zvi Werblowsky in a long article in which he analyzes Breuer’s arguments and shows how they represent a combination of all classical responses to Biblical criticism,²⁹ demonstrates how this last position of Breuer’s parallels the classical “Protestant” approach. His stand is also influenced by his uncle, Yitzhak Breuer of Agudas Yisroel, who applied the Kantian distinction between phenomenon (for which the laws of reason and causality apply) and the “thing itself” (completely above nature and impervious to the laws of reason and causality). Following what Werblowsky calls the “Protestant approach,” Breuer separates faith from any support in this world, yet unlike most fundamentalists, he does not brush aside science as being a lie or a deception. Actually, however, Breuer does not separate all these areas entirely—the believer still has the right to question what is the religious meaning of phenomenon which appear in a certain form and not in any other (e.g., why does the Torah appear to be made up of four documents and not just one?). Thus the Torah, which in essence is suprahistorical, when it “appears in space, time, and history, of necessity must show its historical side.” Breuer is still able to ask, however, why is it that the starting point of the critical analysis of Scripture begins especially with the uncovering of the difference in the uses of the names of God. And the answer, according to him, is simple: “the Torah is many-faceted, many-sided, many-leveled and without unity in its revealed aspect—in the same measure that it is a wonderful unity in its inner hidden aspect—because the God who reveals Himself there, reveals Himself through His ‘names’

Orthodox Reactions to the Challenge of Biblical Criticism

. . . and they are His attributes and His actions." Here we have a continuation of the Kabbalistic idea that the Torah is a weaving of the names of God. And according to Breuer's analysis, the simple meaning of the Torah (with its various "documents" and seeming contradictions) leads directly to its hidden meaning. The *pshat* is never really understood until it can be seen "from behind its shell." Thus the teachings of Wellhausen, although "born and taught in uncleanness and brought up and strengthened in evil," are turned around in the hands of Breuer and become a key to the Torah's innermost secrets. He exalts Wellhausen far above the Orthodox "harmonizers" who try to hide contradictions which the German Bible scholar pointed out; since the "Sages of the Esoteric Wisdom understood these (contradictions) well and explained them as hints pointing to those higher roots showing the workings of justice and mercy and the other Divine *middot* in their revealed multiplicity and in their hidden unity."

Breuer's position, which is attacked by all the responses printed in *Deot*, represents an almost desperate extreme of taking on the enemy "lock, stock and barrel." In part, he finds support for his stance of using the work of "heretics" and for extracting from them a "holy spark," from the teachings of Rav Kuk who bases himself on a long mystical tradition which sees the source of uncleanness ultimately flowing from *K'dusha* or Holiness. The former need "repair" (*tikkun*), they need to become aware of their ultimately holy roots.³⁰ Yet all of Breuer's critics reject the idea that the contradictions which Wellhausen insists he has uncovered can find their resolution in the idea of a Primordial Torah. They neither share his faith in *Torat ha-Sod*, nor agree with his judgment as to the nature of the Torah. Meir Weiss, for instance, accepts Breuer's assumption that the giving of the Torah is a transcendental act, "yet the Torah which was given to us is not transcendental . . . it was not given to the angels but to human beings. It was given in the language of man and in his writing."³¹ The point is also made by many of Breuer's critics, that he places an inordinate amount of emphasis on Wellhausen, "religiously" accepting his conclusions as if they were proven facts of an exact science. The fact that many modern

