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CONFRONTING BIBLICAL CRITICISM: A REVIEW ESSAY

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Yoram Hazony, Gil Student, and Alex Sztuden, eds., *The Revelation at Sinai: What does "Torah from Heaven" Mean?* (KTAV, 2021)

The revelation of God's word to mankind is obviously a central feature of Judaism, but what exactly does this mean? Can anything new be said about revelation, or is all that has been said, and needs to be said, found in traditional rabbinic works? This new book, while fully accepting revelation in the traditional sense, shows that analysis of the concept of revelation is far from exhausted, even when it comes to basic ideas. It is a very rich book, with contributions from a number of distinguished scholars. In many ways, *The Revelation at Sinai* can be seen as a traditionalist alternative to the point of view advocated by TheTorah.com, which accepts the findings of modern biblical scholarship and believes that they can be integrated with living a traditional Jewish life. As I have documented elsewhere, acceptance of aspects of modern biblical scholarship, to varying degrees, has already made inroads in Orthodoxy,[1] a point which is ignored by virtually all of the contributors. Considerations of space prevent me from dealing with all the articles, so I will just call attention to various points that caught my eye, with full recognition that I could have just as easily picked other essays to focus on.

The book is divided into four sections with essays focusing on philosophical and theological issues, "Sinai and History," the Oral Torah, and revelation and modern biblical studies. The most significant of

[1] See my "Is Modern Orthodoxy Moving Towards an Acceptance of Biblical Criticism?" *Modern Judaism* 37:2 (May 2017): 1-29. See also Adam S. Ferziger, "Fluidity and Bifurcation: Critical Biblical Scholarship and Orthodox Judaism in Israel and North America," *Modern Judaism* 39:3 (Oct. 2019): 233-270.

the essays is the lengthy contribution by Yoram Hazony that opens the volume and is a strong defense of the doctrine of Torah from Heaven. Hazony is not denying the possibility that there are a few post-Mosaic verses in the Torah. His points, rather, are directed against the widely held academic assumption that even if Moses is not a legendary figure, the Torah we have did not originate with him. Hazony is also not arguing using biblical scholarship, although he does ask with reference to the academic understanding that the Torah was produced by many different people over multiple generations, "Could the books of Moses… or, indeed, any coherent literary or philosophical work have been written by means of such an editorial process?" (p. 66). Yet this is somewhat begging the question, as many academic scholars will challenge the assumption that the Torah is indeed a coherent work, as from their perspective there are inconsistencies throughout that can only be explained by a long editorial process.

Hazony's focus is theology, as there are those who in recent years have claimed that revelation, rather than Moses, is fundamental, and that Moses' role can be reduced or even eliminated. Hazony specifically takes issue with Tamar Ross, who has advocated a notion of progressive revelation in which the Torah was revealed over time. For Ross, an obvious upside of her theory is that it severely lessens the conflict between the academic approach and what we can call the religious approach. Yet Hazony sees all sorts of difficulties with Ross's model, and concludes that "there is no way to reconcile Ross's unfolding revelation with the biblical and rabbinic theology of *Torah from heaven*, in which Moses and Sinai are regarded as fundamental" (p. 69 n. 145).[2]

[2] See also the statement from the Rabbinical Council of America here (published July 31, 2013):

> In recent days there has been much discussion regarding the belief in Torah Min HaShamayim. We maintain that it is necessary not only to assert the centrality of this bedrock principle in broad terms, but also to affirm the specific belief that Moshe received the Torah from God during the sojourn in the wilderness, the critical moment being the dramatic revelation at Sinai. The Rambam and others have included this in their various Principles of Faith but its centrality is so evident that an appeal to these Principles of Faith is almost superfluous. The very coherence of traditional Jewish discourse concerning the authority of the Torah she-bikhtav and the Torah she-be`al peh rests upon this conviction.
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> When critical approaches to the Torah's authorship first arose, every Orthodox rabbinic figure recognized that they strike at the heart of the classical Jewish faith. Whatever weight one assigns to a small number of remarks by medieval figures regarding the later addition of a few scattered phrases, there is a chasm between them and the position that large swaths of the Torah were written later – all the more so when that position asserts that virtually the entire Torah was written by several authors who, in their ignorance, regularly provided erroneous information and generated genuine, irreconcilable contradictions. Beyond a shadow of a doubt, none of the abovementioned figures would have regarded such a position as falling within the framework of authentic Judaism.

As Hazony argues, the theory of progressive revelation is problematic because it presents a scenario of numerous scribes acting under God's providence, writing and altering what earlier scribes had written, and all the while not realizing the significance of what they are doing. In other words, they are prophets without recognizing their prophetic role. He also makes the powerful point that the notion of progressive revelation leads to the realization that we can never know the intent of the Torah, since it could still be unfolding. "For if no one in antiquity was able to gain a commanding view of God's nature and his will, then why should anyone believe that we are now in possession of God's 'true intent,' which was denied to all our forefathers?" (p. 74).

Hazony's position is definitely the traditional one, and he shows the difficulties that the progressive revelation position creates for one seeking a coherent philosophy of revelation. However, many in the Orthodox world put the stress not on coherence, but on dogma (in particular, Maimonides' Eighth Principle). In line with this, they see the progressive revelation approach as nothing less than heresy, for it replaces a unitary Torah revealed to Moses with a Torah revealed to multiple prophets over many years.

To my knowledge, the first to confront this approach on theological grounds was the great and influential (in the Orthodox world) biblical scholar, Rabbi Mordechai Breuer. Even though the progressive revelation position preserves the divinity of the Torah, as the Torah is said to be revealed through multiple prophets, Breuer strongly rejected it on theological grounds:

> This definition of belief [the traditional position] in the unique divinity of *Torat Mosheh* is the only one recognized by the Jewish people, adopted by all sages. Whoever views the Torah as an ordinary prophetic work denies its unique status. . . . Traditional belief means God's revelation of the Torah through Moses. Only Moses, the worthy scribe to whom God committed the task of writing every section, verse, and letter of the Torah from his very lips. . . . *Torah min ha-shamayim* depends on Moses writing it.[3]

> While we recognize and respect the theological struggles that are a feature of many a modern person's inner religious life, the position in question is unequivocally contrary to the faith requirements of historic Judaism.

[3] Breuer, "The Study of Bible and the Fear of Heaven," in *Modern Scholarship in the Study of Torah*, ed. Shalom Carmy (Northvale, N.J.: Jason Aronson, Inc., 1996), 169. I want to take this opportunity to correct something I wrote in my article "Is Modern Orthodoxy Moving Towards an Acceptance of Biblical Criticism?" In the article, I cited the passage from R. Breuer that I just quoted above, in which he rejects the notion of progressive revelation. However, I also cited another passage from R. Breuer's last published work, which I said presented a different position.

> One who is not able to believe that God gave the entire Torah to Moses, there is no reason for him to say that Moses wrote the Torah. Rather, he is permitted to say that

These are powerful words and stand as strong support for Hazony's argument.

While *The Revelation at Sinai* generally holds to traditional approaches, unless I misunderstand, Shawn Zelig Aster's contribution, "Historical Issues Connected to Sinai," is an exception. Aster discusses where the Israelites came from, and his approach offers us a more complicated picture than what has traditionally been the case. "Some Israelites were certainly local Canaanites who settled down in the highlands" (p. 179). He states further:

> It is clear that tribal nomads in the 14th and 13th centuries, and earlier, identified themselves as the nomads of YHW. . . . At the core of the Israelites were a group of nomads, who had identified themselves for some time, prior to their settlement in the land of Israel, as the people of YHW. These people emerged from the deserts of the Negev and Transjordan in the late 13th century, and settled in the land, bringing with them their political and theological views of God who ruled the land instead of Egypt" (p. 180).

Chapter 9 is a lengthy essay by Joshua Amaru titled "The Oral Torah from Heaven." When traditional Judaism speaks of revelation, it does not only refer to the Written Torah, but also the Oral Torah, what Jacob Neusner termed the "Dual Torah." Yet what is to be included in the Oral Torah? How much of what the Sages recorded is to be understood as part of the original revelation versus teachings that were derived by the Sages through exegesis? Needless to say, there are fundamental disputes in this matter that are nicely elaborated upon by Amaru (although he unfortunately does not use Jay Harris' important book *How Do We Know This?*, which is devoted to the issues he discusses).

Amaru's sympathies are with Nahmanides in his famous dispute with Maimonides over the

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the documents of the Torah were written by various prophets in a development that took hundreds of years, and only at the end of the First Temple or the beginning of the Second Temple were they joined together into one book by the prophetic editor as has already been established by the critical Bible scholars. This position does not do any damage to the Jewish faith, since nowhere is it stated that one who says that there is no Torah from the hands of Moses, that he has no share in the World to Come. It is only stated that one who says that there is no Torah from Heaven, that he has no share in the World to Come. Indeed, these people also say that the Torah is "from Heaven" and was written by prophets through a spirit of prophecy! (*Limud ha-Torah be-Shitat ha-Behinot* [Jerusalem, 2005], p. 24.)

This passage from Breuer is also cited in Yehudah Brandes, et al., eds., *Be-Einei E-lohim ve-Adam: Ha-Adam ha-Ma'amin u-Mehkar ha-Mikra* (Jerusalem, 2015), 63n112, and in the English version of this book, *The Believer and the Modern Study of the Bible* (Boston, 2019), 72n5. Yet we were mistaken in how we understood R. Breuer. Although R. Breuer could have been clearer in his exposition, read in its entirety, it appears obvious that the passage I just quoted was only intended to describe the way of thinking of the Orthodox—or "Orthodox"—academics who see the Torah as the product of multiple divinely inspired authors. R. Breuer's rejection of this position did not waver.

definition of a Torah law. For Maimonides, only a law that is written in the Torah or received by tradition from Sinai has the status of Torah law. This excludes laws that are derived by the hermeneutical principles, which are regarded as being of rabbinic authority. Nahmanides counters that these laws are also to be regarded as *mi-de-oraita*. Since the hermeneutical principles were given at Sinai, that which is derived by them also has the status of Torah law.[4]

In Amaru's understanding, "The distinction between Torah law and rabbinic law is a jurisprudential matter, not a historical one. In this we follow the precedent set by Ramban that that which is halakhically categorized as Torah law is not the same as that which was revealed to Moses" (p. 250). Amaru goes even further and states that the "categorization of a particular activity as a Torah prohibition or a rabbinic prohibition is not limited to the Sanhedrin and to the practice of *midrash halakha* as Ramban claimed" (p. 251). He argues that such categorization continues even today, and to support this position he cites a responsum of R. Moshe Feinstein where R. Feinstein concludes that cooking with a microwave violates Torah law. Since microwaves did not exist in earlier times, and the only way to connect use of a microwave with Torah law is through halakhic reasoning, this suffices to show that "the distinction between Torah law and rabbinic law is not historical but halakhic" (p. 252).

While Amaru sees this as a significant point, I view it as obvious, and I have no doubt that it was seen as obvious by the great halakhic authorities as well. When a halakhic authority argues that a prohibition is Torah-based, not rabbinic, he is not focusing on revelation and is not seeking to prove historically that this prohibition was included in the original revelation. The only thing the halakhist does is argue halakhically, by citing sources that lead to the conclusion that the prohibition is based in the Torah. We generally cannot go back in time to determine the historical reality, and the only mechanism we have to determine if something is Torah law or not is halakhic analysis.

Yet there are times when historical investigation *can* come into play. For example, Maimonides, followed by other *rishonim*, writes that the identification of the biblical *peri etz hadar* as an etrog was never in doubt and goes back to Sinai.[5] Yet if it is conclusively shown that the etrog we use

[4] My summary of Maimonides' opinion is how it is understood by Nahmanides and most modern scholars. Yet many traditional interpreters have offered different understandings. See Marc Herman, "What Is the Subject of Principle 2 in Maimonides's Book of the Commandments? Towards a New Understanding of Maimonides's Approach to Extrascriptural Law," *AJS Review* 44:2 (2020): 345-367.

[5] Introduction to the Mishnah in R. Yitzhak Sheilat, ed., *Hakdamot ha-Rambam* (Maale Adumim, 1992), p. 38. According to Maimonides, the talmudic discussion in *Sukkah* 35a which at first glance might appear to be an attempt to identify what the *peri etz hadar* is, in reality is only focused on finding a scriptural support for the commandment whose details were already known by tradition.

However, R. Jacob Joshua Falk, Penei Yehoshua, Sukkah 35a, appears to say that the Talmud really does raise the possibility that peri etz hadar need not only mean an etrog:

נראה דכוונת המקשה דכיון דפלפלין נמי עצו ופריו שוין א"כ אימא דתרוייהו כשרין דאע"ג דאתרוג הדר טפי אפ"ה אם לא מצא אתרוג

only came to the Near East many years after the days of Moses,[6] then we would be forced to conclude that this is not something revealed at Sinai, but this need not remove the etrog from the status of Torah law.

יוצא בפלפלין. See *Avodah Berurah al Masekhet Sukkah*, p. 32 (to *Sukkah* 35a); R. Yehoshua Sklar, *Yalkut Perushim: Sukkah*, pp. 88-89 (to *Sukkah* 35a).

Sukkah 48b, in both the Mishnah and Baraita, records how on Sukkot a Sadducee poured the water libation over his feet, instead of on the altar, and in response the people pelted him with their etrogs. R. Joseph B. Soloveitchik mentioned in *shiur* the following reason why they threw their etrogs at him: The Sadducee was rejecting the Oral Law regarding how to perform the water libation, therefore they threw their etrogs at him as the etrog also depends on the Oral Law for its identification. See R. Soloveitchik, *Reshimot Shiurim: Sukkah* (New York, 2000), pp. 257-238. R. Hayyim Dov Altusky challenges the Rav's point that the throwing of the etrogs had religious significance. He claims that those throwing the etrogs would have included not only sages but also average people, as the Mishnah says that "all the people" pelted the Sadducee. R. Altusky states that this shows that the people simply grabbed what was in their hands without thinking about the religious implications that the Rav reads into the story. See *Hiddushei Batra al Hiddushei ha-Masbir: Sukkah,* p. 29. I find it hard to believe that the Rav was offering an actual historical explanation of what happened. It strikes me that his comment was made in a homiletical vein, and therefore it does not make sense for R. Altusky to challenge the Rav's point like he did. For more on the episode in its historical context, see Vered Noam, *Shifting Images of the Hasmoneans: Second Temple Legends and Their Reception in Josephus and Rabbinic Literature*, trans. Dena Ordan (Oxford, 2018), ch. 4; Steven Weitzman, "The Etrog as Weapon in Temple Times," in *Be Fruitful!: The Etrog in Jewish Art, Culture, and History*, eds. Warren Klein, et. al,(Jerusalem and New York: 2022), 55-57. See also Saul Lieberman, *Tosefta ki-Feshutah, Sukkah*, p. 881.

[6] Evidence for this is presented by R. David Z. Moster, *Etrog: How a Chinese Fruit Became a Jewish Symbol* (Cham, Switzerland: 2018). Yehudah Feliks, based on historical arguments rather than dogma, rejects this approach and argues that the *peri etz hadar* was always identified with the etrog. See his *Atzei Peri le-Mineihem: Tzimhei Ha-Tanakh ve-Hazal* (Jerusalem, 1994), pp. 150ff.; idem., "Peri Etz Hadar – Ha-Etrog," *Beit Mikra* 42 (1997): 288-292. See also Zohar Amar, *Arba'at ha-Minim* (n.p., 2010), 20ff. Maimonides' view, that the etrog has been used since the days of Moses, seems to have assumed the status of dogma in much of Orthodoxy. Yet in a recent book on the etrog published by Mossad ha-Rav Kook, a respected Orthodox publishing house, one article is included that suggests that the etrog was only brought to the Near East in the era of Alexander the Great. Another article in the book states that only in the first century CE was the etrog identified as the Torah's *peri etz hadar*. See Eliezer Goldschmidt and Moshe Bar-Yosef, eds., *Ha-Etrog: Masoret, Mehkar u-Ma'aseh* (Jerusalem: 2018), 93, 123.

R. Yehuda Amital cites a view, that he attributes without a specific source to the book *Benei Efraim*, which appears to be at odds with Maimonides' approach. "The Torah does not require specifically an etrog for the mitzvah. Rather, one must take a fruit that meets all the criteria mentioned in the Gemara, which Chazal derived from biblical verses. . . . Once a fruit meets all these criteria, it qualifies for the *mitzvah* of *arba minim*, even if we cannot call it an etrog." See his *Resisei Tal*, vol. 1, p. 251, translation found here. He further notes that this is also the implication of Tosafot, *Sukkah* 33a s.v. *ve-eima*. R. Amital refers to *Benei Efraim*, yet I am certain that this should be *Beit Efraim*, authored by R. Ephraim Zalman Margulies. (There is no book with the title *Benei Efraim*.) See *Beit Efraim*, no. 56. Furthermore, the view that R. Amital refers to is not the opinion of R. Margulies. Rather, R. Margulies cites this opinion (which he rejects) from R. Abba ha-Levi's responsum in R. Abraham Rapoport, *Eitan ha-Ezrahi*, no. 39. R. Abba writes:

ומה שכתב והתורה אמרה אתרוג וליכא, לא ידעינן היכן כתב בתורה אתרוג, רק פרי עץ הדר, ומין זה הדר הוא ודר משנה לשנה באילן

See also R. Jacob Horovitz, *She'elot u-Teshuvot Ha-Rivam* (Munkacz: 1908), no. 30 (46b):

דהא דכתבה רחמנא ולקחתם פרי עץ הדר לא הקפידה בו תורה אלא שיהי' פרי הזאת פרי שטעם עצו ופריו שוה בה ואלו היו מצאי פרי אחרת שטעם עצו ופריו שוה דוגמת אתרוג הוי חזי לקחתו למצות לולב וא"כ הא דאין מוכשר למצותו אלא אתרוג הוא שמאחר שלא מצינו פרי אחרת דוגמתו שיהי' טעם עצו ופריו שוה

Jacob Reifman argues that the Torah's *peri etz hadar* was never intended to only refer to the etrog. See his letter in Isaac Reggio, *Yalkut Yashar* (Gorizia: 1854), pp. 46ff., where he even

As long as the Sages derive that the *peri etz hadar* is the etrog, then it could very well have the status of Torah law (according to those who disagree with Maimonides). But cases like this are very rare and usually determinations of what is and is not Torah law are only halakhic, with history playing no role.

Even when not dealing with matters of law, there are times when history would come into play. For example, the Hazon Ish states that not just the Hebrew vowels but even their forms were given at Sinai and are part of *Torah she-be'al peh*.[7] Presumably, the Hazon Ish's opinion can be

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suggests that in medieval times fruits other than the etrog were also used on Sukkot to fulfill the *mitzvah*.

While this certainly seems like an un-Orthodox suggestion, none other than the famed R. Solomon Eliezer Alfandari agrees with Reifman's point, and states that in ancient times there was no distinction made between an etrog and a lemon, and both were regarded as acceptable to fulfill the *mitzvah*. See Alfandari, *She'elot u-Teshuvot Maharsha*, vol. 1, no. 13. This point was so shocking to R. Joshua Menahem Ehrenberg that he suggested deleting this responsum from R. Alfandari's book. See Ehrenberg, *Devar Yehoshua*, vol. 2, no. 124. (I learned of R. Ehrenberg's responsum from the Bein Din le-Din blog, Oct. 10, 2011.) For more rejections of R. Alfandari's approach, see the sources mentioned in R. Yitzhak Frankel, *Mesorat ha-Etrog* (Jerusalem, 2015), pp. 138ff.

R. Michael Abraham was asked if evidence that the etrog had not reached the Near East in the days of Moses creates a religious problem that needs to be dealt with. He replied that the only important point for us is the talmudic identification of *peri etz hadar* with the etrog, and the historical record has no relevance in this matter.

איני מכיר את הסוגיא אבל זה ממש לא משנה. התלמוד הוא המוסמך לקבוע והוא קבע שהאתרוג הוא פרי עץ הדר. גם אם הוא לא היה בארץ ישראל באותה תקופה אין מניעה לזהות פרי עץ הדר עם אתרוג. לכן אין כאן שאלה לענ"ד.

An interesting tradition is preserved in Chabad. As is well known, Chabad Hasidim use etrogs from Calabria in southern Italy. R. Menachem Mendel Schneerson reported in the name of his father-in-law, R. Joseph Isaac Schneersohn, who quoted his father, R. Shalom Dov Baer Schneersohn, as follows: When God commanded Moses to take a *peri etz hadar*, Moses sent messengers—whom the Rebbe R. Menachem Mendel identifies as angels—by means of the Clouds of Glory to bring etrogs from Calabria to the desert where the Children of Israel were. See R. Menahem Mendel Schneerson, *Ha-Melekh bi-Mesibo* (Brooklyn: 1993), pp. 82-83. This is actually a tradition that goes back to R. Shneur Zalman of Lyady. See R. Menachem Mendel Schneerson, *Iggerot Kodesh*, vol. 13, no. 4381; R. Joseph Isaac Schneersohn, *Sefer ha-Sihot: 5699*, p. 294, and the accompanying notes. R. Yosef Shalom Elyashiv rejects the Chabad tradition, but that is because he takes *Shabbat* 56b literally that Rome—which he understands to mean also the entire Italy—only came into existence during the time of Solomon. See *He'arot Rabbenu ha-Gaon Rabbi Yosef Shalom Elyashiv: Shabbat 1* (Jerusalem: 2014), p. 379.

[7] *Kovetz Iggerot Hazon Ish*, vol. 2, no. 169. R. Joseph Rozin, the Rogochover, goes even further, stating that the actual *sefer Torah* that Moses wrote contained vowels and cantillation notes (*trop*). See *Tzafnat Paneah al ha-Rambam: Mahadura Tinyana* (Dvinsk: 1930), p. 60a. As R. Binyamin Wattenberg points out, this ironically means that Moses' *sefer Torah* would today be regarded as invalid (*pasul*). See *Shulhan Arukh, Yoreh Deah* 274:7:

ספר המנוקד פסול ואפילו הסירו ממנו הניקוד וכן ספר שיש בו פיסוק פסוקים פסול

See Wattenberg's edition of R. Baruch Epstein, *Safah le-Ne'emanim* (Puteaux, France: 2021), p. 91. Elsewhere, R. Rozin writes that Moses' *sefer Torah* also included: כל המסורה הכתיב והקרי, which would also render it invalid for us. See *Tzafnat Paneah* (Petrokov: 1908), *Hilkhot Terumot*, p. 122 (Arabic numerals). R. Rozin's point is explicitly contradicted by many earlier authorities. See e.g., the responsum quoted in *Mahzor Vitry*, ed. Hurwitz (Nuremberg: 1923), vol. 1, p. 91:

ספר תורה שניתן למשה בסיני לא שמענו בו ניקוד ולא ניתן ניקוד בסיני

questioned by the fact that in different geographical regions there were different symbols used for the vowels. In other words, one cannot make a case that the shape of the Hebrew vowels can be categorized as from Sinai based solely on analysis of a rabbinic text or based on intuition if the evidence shows that in the real world there never was such a tradition about a particular form of the vowel system, and that there is nothing special about our vowel system as opposed to the supralinear form.[8] My point can be extended to the broader issue of the vowels themselves being *Halakhah le-Moshe mi-Sinai*. This position is held by many, but in considering which side is more compelling, it would seem important to note that there is no reference to the vowels, not to mention their forms, anywhere in classic rabbinic literature.[9] This appears to be powerful evidence that while there was indeed a reading tradition, there were no written vowels in the rabbinic period.

Another major essay in the volume is Gil Student's "Rethinking Revelation: Three Talmudic Scholars Grapple with Biblical Criticism." The three scholars that he examines are Abraham Joshua Heschel, Louis Jacobs, and R. Menahem M. Kasher. With regard to Jacobs, Student quotes him as saying that there is a "hard core of historical truth in the great Pentateuchal themes of the Exodus and the Revelation at Sinai" (p. 279). Student quotes another passage from Jacobs that he says "might imply that there was a revelation in time at Mt. Sinai" (p. 279). Student's instinct is correct, and now is a good place to quote from Jacobs' letter to me dated September 27, 1987, in which we see, among other interesting things, that Jacobs indeed affirmed an actual revelatory event at Sinai.

> On revelation there is much to discuss. For the moment I am a little puzzled by what you mean when you write about "the physical revelation". Do you mean the thunder and lightning? I do not deny that something of this sort took place, although how could one know, but believe that it is of no relevance. But I do believe in *Torah min ha-Shamayyim* and here would agree that without this belief Judaism makes little sense as a religion. Indeed, what I and many others have been trying to do is to defend the doctrine of *Torah min ha-Shamayyim* by trying to show that it need not be understood in a

[8] See R. Avigdor Amitai, *Emunah Tehorah* (n.p., 2022), p. 231. It is likely that were the Hazon Ish aware of this, that he would have retracted his opinion. There is a similar example in the Hazon Ish's well-known opposition to the form of the letter *tzadi* that appears in Sephardic *sifrei Torah*. He believed that this form originated with Shabbetai Zvi. However, after he was shown a printing of the Zohar that predated Shabbetai Zvi, and which describes the *tzadi* in the way the Hazon Ish opposed, he retracted his claim that it arose from Shabbetai Zvi. See Shlomo Zalman Havlin, "Od be-Inyan Sefer ha-Torah ha-Meyuhas le-Ran ve-ha-Tzadi be-Yud Hafukhah," *Ha-Ma'yan* 53 (Tishrei 5773): 34. See also Binyamin Brown, *Ha-Hazon Ish* (Jerusalem: 2011), 448ff.

[9] Jerome (d. 420) also testifies that there were no written vowels for the biblical text. See the references to his commentaries in William Wickes, *A Treatise on the Accentuation of the Twenty-One So-Called Prose Books of the Old Testament* (Oxford: 1887), 5.

> fundamentalist manner. Thus I am far from "denying any original Torah," as you put it. On the contrary, the Torah for me is the whole process, in which there is a human element but also a divine element. Your remarks about how do I know that Judaism has more truth than other religions can just as easily be turned against you. How do you know that there was an "original" physical revelation? The Hindus deny that it ever took place. You believe that Judaism is more true than other religions because you are a believer in the Torah and I am also a believer in the Torah. Surely your logic is at fault in this argument.

With Kasher we are dealing with a different sort of person. He had enormous erudition in the entirety of rabbinic literature, but he also showed an utter lack of historical sensibility that Student does not call attention to. Thus, Student mentions Kasher's notion (based on earlier sources) that Adam wrote the beginning chapters of Genesis (p. 297). Such a conception is so foreign to any modern way of thinking that it can have nothing to say about the reconciliation of Torah and modern biblical scholarship.

I am puzzled by Student's statement (pp. 265, 292) that in the talmudic dispute over whether Moses or Joshua wrote the last eight verses of the Torah (*Bava Batra* 15a, *Menahot* 30a), the Talmud rejects the view that Joshua wrote the last verses. This is not the case at all, and the Talmud leaves the dispute undecided. (In *Bava Batra* 14b the view that Joshua wrote the last verses is recorded in a baraita without objection.) This explains how various post-talmudic authorities, including apparently *Mishnah Berurah* (428:21), adopt the position that Joshua wrote the last eight verses.

After reviewing the approaches to *Torah min ha-Shamayim* of Kasher, Heschel, and Jacobs, Student concludes that

> all have failed to adequately reconcile Jewish tradition with biblical criticism. Jacobs consciously breaks with Jewish tradition while Kasher chooses tradition over biblical criticism. Heschel unconvincingly attempts to revise tradition, insufficiently to answer the challenge (p. 298).

It seems as if Student is offering a criticism here. To this I would reply that Kasher never attempted to reconcile Jewish tradition with biblical criticism, as he had no interest in the latter and did not think that it had any truth to it. One only reconciles when one feels that there are two conflicting truths. Jacobs' attempt at reconciliation is explicit and lengthy, and Heschel accepts that the findings of biblical criticism can be true, but in his eyes this does not affect the fact of revelation. He sees discussions of biblical authorship as matters of historical scholarship that have nothing to do with revelation. This is also the position advocated by certain Orthodox—many

would prefer to say Orthoprax—academics who accept revelation while denying Mosaic authorship, in whole or in part.[10]

Continuing with Student's article, I also find the following passage noteworthy:

> This does not mean that we must reject biblical criticism out of hand. Based on Maimonides' approach, we need to evaluate the arguments for and against biblical criticism. While different topics and arguments vary in speculative evidence, some are quite powerful. We cannot and should not skip the step of evaluation. Yet, in the end, we come to the final step of considering revelation. As discussed above, biblical criticism undermines Judaism much more than Aristotle's eternal universe, even if its proponents attend synagogue three times a day. (p. 302)

On the previous page, Student elaborates on Maimonides' reasons for rejecting Aristotle's view of the eternity of the universe. Maimonides notes that Aristotle was never able to prove his point, and he also states that if Aristotle's position is true, then Judaism as we know it would be rendered meaningless (*Guide of the Perplexed* 2:25). Yet if Aristotle's viewpoint was actually proven, can we really believe that Maimonides would have rejected Judaism entirely? It is much more likely that he would have reinterpreted the traditional belief in accord with the new proven knowledge (and the emphasis is on "proven"). After all, Maimonides tells us that the creation narrative of the Torah can be reinterpreted in accord with Aristotle's position, but basic theological reasons prevent us from doing so. I assume Student has the same approach when it comes to biblical criticism. If one of its major points *were* proven, by which I mean an actual proof that all could accept, would this mean the end of Judaism? As R. Immanuel Jakobovits once told me, the answer is absolutely no. As far as R. Jakobovits was concerned—and would anyone disagree?—the only result of the new evidence would be that the traditional belief would have to be reformulated.

We must also answer the fundamental question of what does one mean by "biblical criticism"? Presumably, the proponents of biblical criticism who are careful to pray three times a day do not believe that the Torah is a human document, but see it as a prophetic document, albeit not a Mosaic document or not an entirely Mosaic document. This approach needs to be distinguished from the academic approach that sees the Torah as no different than any other ancient Near Eastern document. Does Student see the problem of biblical criticism in the affirmation of human authorship, or is non-Mosaic prophetic authorship to be viewed in

[10] See my "Is Modern Orthodoxy Moving Towards an Acceptance of Biblical Criticism?"

the exact same light?

While in years past it was easy to simply point to Maimonides' Eighth Principle as affirming complete Mosaic authorship, wider acknowledgment of the views of Ibn Ezra and various medieval Ashkenazic sages, that there are indeed post-Mosaic additions to the Torah, requires clarification of what is considered acceptable in the broader Orthodox tent. Student writes: "Because any interpretation of historical or textual material is inherently speculative, those interpretations that contradict divine authorship and Mosaic transmission are discarded" (p. 305). But what about the medieval authorities who do not insist on complete Mosaic authorship? What implications if any does Student think that these views have for a modern theology of *Torah min ha-Shamayim*?

Whatever criticisms I have expressed of any of the contributions to this wonderful volume, I fully concur with the final words of Student's essay, that just as medieval Jews had to deal with approaches that were at odds with traditional Torah teaching, so too "we must create our own intellectual space in which we confidently and unapologetically study the divinely written and transmitted Torah that is our heritage" (p. 307).

Behind Every Revelation Lurks an Interpretation: Revisiting *The Revelation at Sinai*

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In January, Lehrhaus published Marc B. Shapiro's review essay on *The Revelation at Sinai: What Does "Torah from Heaven" Mean?*, edited by Yoram Hazony, Gil Student, and Alex Sztuden. Shapiro's brief reference to reservations regarding my view of revelation that appear in Yoram Hazony's contribution to this anthology prompted me to look up Hazony's words directly.[1] Having done so, I believe that both the few footnotes in Hazony's original essay[2] and Shapiro's passing mention do not adequately reflect my position. I therefore welcome the opportunity to elaborate, in hopes of enriching discussion of this topic and its theological ramifications.

Hazony's major concern in his essay is to preserve equation of the belief in "Torah from Heaven" with the biblical description of its revelation to Moses at Sinai. This concern, as he understands it, is "not only because of issues of historicity – the assumption that a Jewish view of the world must be anchored in the belief that what is described in the book of Exodus, say, took place in history."[3] More importantly, it is because any other understanding

[1] See Yoram Hazony, "Torah from Heaven: Moses and Sinai in Exodus," in *The Revelation at Sinai: What Does "Torah from Heaven" Mean?* eds. Yoram Hazony, Gil Student, and Alex Sztuden (Ktav, 2021), pp. 3-76. I thank Hazony for his gracious and prompt response to my request for the original.

[2] Hazony, p. 66, n. 140; pp. 68-69, n. 144, 145.

[3] Hazony, p. 4.

of "Torah from Heaven" forfeits, in his opinion, the rich contribution that various elements in the Exodus account offer to an overall theology of the scope and limits of the human-divine encounter. For this reason, Hazony seeks to stem a growing tendency of Orthodox circles affected by the contentions of academia to accept suggestions that the Torah attributed to Moses was in actual fact a collective work assembled over time, via the contributions of many generations of anonymous scribes.

Hazony rejects theories of protracted multiple authorship as highly implausible in their own right, arguing that no literary or philosophical work could have maintained coherence when subjected to such an editorial process.[4] Over and above this, however, Hazony's main objection to the findings of biblical source theory relates to new theories of "unfolding revelation" which some of the more traditionally inclined biblical scholars have been induced to develop in their wake. According to Hazony, such theories necessarily lose sight of the many important philosophical and theological lessons that close reading of events at Mount Sinai yields when taken at face value.

Starting out with the assumption that "the biblical text is a form of *instructional narrative,* and that it employs a variety of literary devices (such as type contrasts, recurring language, and metaphor) to broach and discuss positions on philosophical and theological subjects,"[5] Hazony devotes the major part of his essay to a close and sensitive reading of principal elements in the Exodus account of the giving of the Torah in order to glean from them important theological lessons. Central to these is the unique status of Moses as prophet. Other key elements refer to the relationship between Moses' vision and differing levels of knowledge achieved by the elders and the people, the necessity of Moses to ascend to the top of Mount Sinai and God to descend from heaven in order to deliver the message, the fact that the tablets of stone were created twice (one set produced entirely by God that did not survive, and another set carved by Moses which did), and more. Hazony concedes that there is room for debate regarding the precise meanings that he personally gleans from various details of the biblical account.[6] Nevertheless, he seeks to preserve the sacrosanct status of such details as essential elements of one unified and consistent story, precisely because of their critical importance in conveying the power and limits of human understanding and other important messages of theological concern.

The bone I have to pick with both Hazony and Shapiro is their estimation of where my own take on the matter fits into this debate. Shapiro (quite possibly due to space restrictions when reviewing an entire anthology rather than one contribution)

[4] Hazony, p. 66, but as Shapiro perceptively notes, this objection "is somewhat begging the question, as many academic scholars will challenge the assumption that the Torah is indeed a coherent work, as from their perspective there are inconsistencies throughout that can only be explained by a long editorial process."

[5] Hazony, p. 5.

[6] Hazony, p. 7.

does not get into details at all, and attributes to me quite simply "a notion of progressive revelation in which the Torah was revealed over time." Hazony, by contrast, does allude to some distinction between my gradualist understanding and other versions of the same, acknowledging an "evident concern" on my part for the integrity of Orthodox Jewish belief, and care "not to challenge the centrality of Moses and Sinai directly."[7] Nevertheless, he too does not get into the nitty gritty of these differences or explain why he nevertheless still finds my version[8] wanting.

In order to get down to these specifics and flesh out the possible merits of a third option that mediates between Hazony's static understanding of "Torah from Heaven" and the approach of "unfolding revelation" which he opposes, let me first state that the view of revelation that I support involves two distinct moves that are not necessarily connected, and vary significantly in terms of their comportment with conventional notions of religious belief.

The first move, which I have dubbed "cumulativism," rests - in brief – on three assumptions:

(a) an infinite eternal message cannot be relayed to finite minds in one shot. Therefore, God's ultimate message to man cannot be exhausted by a one-time revelation.

(b) God does not communicate via vocal chords, but rather through the mouthpiece of history. New sociopolitical and cultural contexts and the novel rabbinic interpretations provoked in their wake trigger the evolution of human understanding, thus of necessity expanding the meaning of His message. If any particular idea or social structure takes root in, and informs the life of Jews committed to the Torah, this can be taken as a sign of its Divine provenance.[9]

(c) Although successive hearings of the Torah may *appear* to contradict the original message of Moses at Sinai, that message is never replaced. It always remains as the rock-bottom cultural-linguistic filter through which new "hearings" are understood. Thus, it is the potential *meaning,* rather than *wording*, of the Torah attributed to the original revelation at Sinai that is constantly being unfolded, via the changing cultural contexts to which it is exposed. Even when changing circumstances appear to turn the import of the original message delivered to Moses on its head, the wording of the revelation at Sinai always remains for the cumulativist the primary cultural-linguistic filter through which any new deviations are heard and understood.

Thus, for example, are God's words to Eve "And he shall rule over you" (Genesis 3:16) to be taken as a

[7] Hazony, p. 68, n. 145.

[8] Which, as Hazony sums it up (p. 66, n. 140) is a view "which argues that 'God's revelation [is] communicated in a gradual manner,' continuing to unfold in history until finally it reaches its 'ideal meaning.'"

[9] Obviously, the very decision as to whom are to be counted amongst the committed, and therefore legitimate, interpreters of Torah may also be a matter of debate, often determined likewise by the retroactive decree of history.

normative prescription for all time, a recipe for marital bliss, or - much as God's words to Adam ("By the sweat of your brow shall you get bread" - Genesis 3:18) an escapable curse and evil to be overcome? Much depends on the context in which these words are read. The same applies to differing views regarding the Torah's prescribed attitude toward sinners or members of rival faiths, the permissibility of slavery, and countless other stances that have evolved over time. The more prevalent a new interpretation becomes as greater numbers of committed Jews relate their practice to its particular reading, the more "obvious" its implications. But while cumulativists affected by traditional notions of divine intervention in human affairs will tend to perceive shifts accruing to previous understandings as heaven-sent responses to their developing spiritual sensibilities, the text attributed to Moses will always remain for them the initial and indispensable reference point and sounding board for any new reading.

Precisely because of the weight I attach to this third assumption, the decision to define my view of revelation as "cumulative," rather than "successive," "progressive," or "continuous" was made quite deliberately. Indeed, it was a direct reflection of my concern to distance this approach from other prevailing views of unfolding revelation that – in their open-endedness – might diminish the foundational status and primacy of the revelation at Sinai, which traditional Orthodoxy and Hazony himself are intent on preserving. Thus, Hazony's estimation that views of revelation typified by source theorists such as Benjamin Sommer are indebted to my theology[10] actually puts the cart before the horse.

Moreover, given my insistence on the unique status of the Mosaic revelation at Sinai, the cause for Hazony's ultimate dismissal of this aspect of my position, declaring that "in the end there is no way to reconcile Ross's unfolding revelation with the biblical rabbinic theology of *Torah from heaven,* in which Moses and Sinai are regarded as fundamental"[11] is far from obvious. After all, even Jewish traditionalists following Maimonides and his interest to protect the supremacy and inviolability of Mosaic law from the upheaval of further claims to prophetic inspiration, have never denied the possibility of discovering new meanings in the text. Their difference with the cumulativists is simply their preference to attribute recognition of the text's manifold interpretive possibilities solely to the work of the scholars of every generation, who can and do uncover more of its original meaning without the benefit of divine intervention. Thus, contrary to Hazony's opinion, my preference for describing new ideas as "revealed" rather than "uncovered," no less than earlier manifestations of this trend in the Talmud and in the tradition of the Tosafists and their followers, does not rest on differences of opinion regarding the centrality of Moses and Sinai,[12] but rather on alternative religious sensibilities regarding the manner in which God interacts with the world, which - in

[10] Hazony, p. 68, n. 145.

[11] Hazony, p. 69, n. 145.

[12] Hazony, p. 68, n. 144.

Hassidic writing and the thought of R. Kook - are extended even further to notions regarding the spiritual significance of history and the development of the human spirit.[13]

Given these considerations, I suspect that the chief trigger for Hazony's dismissal of my understanding was a fringe benefit that I attach to cumulativism (amongst a few others): i.e., that this approach "even allows for the liberty of conceiving of the Torah of Moses in terms of a revelation that occurred over a period of time, via a process that is totally consonant with the findings of biblical criticism and archaeological discoveries (to the extent that these are scientifically verifiable and convincing)."[14] If so, I believe that the weight Hazony attaches to this linkage on my part is inordinate and misplaced, for the truth is that while both Hazony and Sommer view contemporary biblical scholarship as a force to be reckoned with, and either accepted or rejected when formulating a theology of revelation, I view the conclusions of academia as largely irrelevant in this context. While I personally might be more prepared in principle than Hazony to entertain the notion that the composition of the Torah as we know it was not a one-time affair, I am by no means a biblical scholar and my rendition of cumulativism does not hinge on any suppositions regarding the number of anonymous scribes involved. It does, however, rest on a need to acknowledge equally troubling evidence of time and culture-bound imprints on the Mosaic text, such as obviously dated standards of morality, pervasive male bias, or inaccurate accounts of science and history, which to my mind support the simple common-sensical understanding that any revelation, even that attributed to Moses, is inevitably colored by its surrounding cultural context.

While Hazony does not address such difficulties directly, some of these shortcomings could arguably be resolved by the significance that he attaches to the fact that according to the biblical narrative even Moses does not reach heaven but only the summit of the mountain, and to the disparity between the first tablets fashioned by God at that point and the second tablets inscribed by Moses at its base.[15] Ultimately, however, even when understood metaphorically and not literally, Hazony's rendition of the biblical narrative does not address deeper theological difficulties arising from the very notion of divine-human communication through language, which is ultimately a uniquely human mode of expression. Once we have abandoned Aristotelian notions of physics and metaphysics, any view of divine speech is a form of anthropomorphism that

[13] For amplification on the relative merits of what I term "interpretive" versus "historic" cumulativism , see Tamar Ross, *Expanding the Palace of Torah: Orthodoxy and Feminism* (London/Hanover: Brandeis University Press/University Press of New England, 2021), pp. 221-224.

[14] Ross, ibid, p. 223 – incompletely quoted by Hazony, p. 68, n. 145.

[15] See, for example, Hazony, pp. 47 -48, where he states: "We tend to think of the Torah as being 'from God,' and so it is. But the Torah is at the same time 'for man.' The shaping of the law in accordance with man's nature is evident in every verse of the Torah… And since it is concerning men that the Torah speaks, we must recognize that the law is concerned with things that are always – even when the people are willing and able to heed God's teaching – far from ideality or perfection."

even Maimonidean concepts of the prophet rising up to the orbit of influence of Pure Form via the Active Intellect are no longer capable of resolving.

This leads me to the second, far less traditional, element in my view of revelation,[16] which I daresay is the true source of Hazony's rejection of cumulativism, despite the fact that the two aspects are, in principle, entirely separable. Let me explain:

In the past, most religious believers understood traditional formulations of religious belief as simple statements of fact. This meant that if literal meanings are problematic, we must either reject them, qualify them, or bring logical argument and empiric evidence in order to resolve any difficulties they raise. Over the past century, however, a significant number of religious philosophers have turned away from the by-now overworked attempts of modernism to defend religion's portrayal of reality on an empiric level. Instead, such efforts can be typified by a new focus upon the significance of religious language, and what religious truth claims mean to the believer in the context of a religious way of life.[17]

Applying this trend to the topic in hand, when an Orthodox Jew says, "I believe in Torah from Heaven," her primary concern in most cases is not to discuss facts or establish history but to create a picture of reality on an entirely different plane, one that will regulate her entire life and may bring her to take risks or make sacrifices that she would never dream of for the sake of other opinions that she knows to be far better grounded from a scientific point of view. This is because belief in the divine origins of Torah serves as the primary basis for a way of life and worldview to which she is inextricably bound in a multitude of ways by personal conviction, passion, and practical considerations.

Does this new understanding of the function of religious statements mean that she regards the divine origin of Torah as less valid than scientific beliefs? No. But because the two statements are of a different nature, the evidence for each is different. What we normally think of as evidence in a scientific context is quite irrelevant for substantiating a religious belief.

Thus, for example, even if we were able to locate the original Mount Sinai, find fragments of the first tablets broken by Moses, and read a parchment diary by an Israelite who witnessed and documented the event of revelation first-hand, none of this would

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[16] Although I find significant steps in this direction in the thought of R. Kook – see Tamar Ross, "The Cognitive Value of Religious Truth Claims: Rabbi A.I. Kook and Postmodernism," in *Hazon Nahum: Jubilee Volume in Honor of Norman Lamm* (New York: Yeshiva University Press 1997), pp. 479-527; republished in *Religious Truth: Towards a Jewish Theology of Religions*, ed. Alon Goshen-Gottstein (London: Littman Library of Jewish Civilization, 2020).

17 Much of this trend has been influenced by the thought of the Austrian-born philosopher Ludwig Wittgenstein. For further details Austrian-born philosopher Ludwig Wittgenstein. For further details regarding his contribution to the understanding of religious language, see Ross, *Expanding the Palace of Torah,* pp. 193-197; idem, "Orthodoxy and the Challenge of Biblical Criticism: Some Reflections on the Importance of Asking the Right Question"; idem, "Orthodoxy and the Challenge of Biblical Criticism," (TheTorah.com), particularly the Excursus, pp. 59-62.

change what the believer means by saying that the Torah is divine. The purpose of this assertion is to affirm the ultimate meaning and value of a way of life and worldview. Because of its different aim, the scientific basis for this assertion might be exceedingly flimsy evidence or non-existent. The considerations brought to bear in determining the validity of such religious statements is taken from *within* the religious framework itself. Validity must be formulated in terms of the context from which a statement derives its meaning.

By the same token, even the argument between cumulativists (such as myself) who prefer to view new interpretations as a never-ending striving to reconstruct the infinite divine message of a pre-verbal primordial Torah by constantly stretching the meaning of the primary but time-bound revelation at Sinai, and those who (like Hazony) choose to regard such innovations as reconstructions of a one-time and perfect Sinaitic revelation complete in and of itself, is not an argument that can be determined objectively. A more accurate response to these differing preferences in rhetoric and mythic vocabulary would be to regard them as expressions of differing spiritual sensibilities and of differing opinions regarding which theological approach can best express and maintain faith and loyalty to a Jewish way of life that grants us some intimation of Ultimate Being, the object of all religious belief.

While this new view of religious language overturns the necessary linkage that Hazony posits between historicity (i.e., "the assumption that a Jewish view of the world must be anchored in the belief that what is described in the book of Exodus, say, actually took place in history"[18]) and the philosophical or theological lessons that the Exodus account might offer, I personally have little difficulty in accepting the messages that Hazony gleans from the biblical account of revelation and assessing them on their own merits. As a matter of fact, I found Hazony's list of the principal elements of the Exodus account of the giving of the Torah, and many of his suggestive proposals as to what these elements are meant to contribute to an overall theology of Torah from Heaven, quite masterly and inspiring. But despite the fact that some of the messages that he finds in the text are debatable, and possibly a function of his own pre-dispositions,[19] Hazony, apparently following the Maimonidean tradition, seems to believe that the ultimate objective he shares with his readers is to uncover the one and only original intent of the Torah from Heaven that was given to Moses from the start. I, by contrast, approach the biblical account of Moses and Sinai differently, acknowledging that even when

[18] Hazony, p. 4.

[19] Compare, for example, Hazony's understanding of the inverse relationship between the pursuit of pleasure and the ability to gain knowledge of God, as indicated by comparison between Moses' abstention from food and drink for 40 days and the eating and drinking of the people of Israel when celebrating at the feet of the golden calf (pp. 38-41) and R. Kook's view of abstention from the physical as a weakness of prophecy, as exemplified by the disparity between Moses' knowledge of God, who still required abstention from the strongest physical pull of sexual relations in order to see God clearly, and that of Adam, who was able to see the earthly particularities from one end of the world to the other without obstructing his vision of the whole – see R. Kook, *Orot ha-Kodesh* I (Jerusalem, 1985), p. 291.

maintaining formal fealty to this narrative, and relating to it as the rock-bottom base of my religious worldview, its precise import for the community of believers is inevitably open to revision, in light of the fluctuating contexts in which it is read.

More importantly, while I have no idea regarding the extent to which ancient traditions equated myth with history, Hazony appears to be invested in the notion that the biblical account, however symbolic, amounts to some faithful expression of "the facts of the matter." This confidence on his part does not sit well with the refusal of recent streams of modern philosophy (with which I sympathize) to equate empirically observable statements that are liable to verification or falsification with metaphysical truth claims, which – more or less by definition- are not given to empirical testing. Such refusal does not necessitate rejection of metaphysics altogether. But it does lead to skepticism regarding the ability of any human being to fully grasp this realm of being and transmit it in words.[20]

Given these qualifications, my cumulativism is a relatively naturalist view of Torah from Heaven that stands midway between premodern notions of human-divine relations that Hazony seeks to preserve, and rival views of unfolding revelation as articulated by traditionally inclined academicians such as Sommer. Unlike the academicians, my view seeks to preserve commitment to the biblical account of Torah from Heaven and its concomitant assumption of the primacy of the Mosaic epiphany as it stands. Unlike Hazony, however, this commitment does not rest on inherent and undeniably God-given properties embedded in the biblical text that simply bang us over the head, compelling us to accept them as such. Such commitment rests, rather, on my willingness as an individual believer, and on the willingness of the Jewish people at large, to formally accept this text as such, and to view it as the fundamental narrative from which all other beliefs and practices of Judaism are derived.[21] And that willingness itself is an interpretive act, based on prior cultural experience and conditioning.

Paradoxically, one might even claim that it is precisely the endless ability of Torah-committed Jews to discover (or eke out) fresh and relevant meaning from the ancient hallowed words, rather than the finality of their message, that reinforces such willingness and its accompanying religious convictions for each generation anew. Thus, just as Darwinism compelled religious believers to revisit the biblical account of the origin of man, and view

[20] For Jewish sources for this way thinking, see: Tamar Ross, "Knowledge and Reality in Modern Kabbala", in *Paradigms and Perspectives on Value and Reality*, eds. Richard Vulich and Chandana Chakrabarti (Cambridge: Cambridge Scholars Press, 2014), pp. 121-129. Recent advances in neuroscience, astrophysics, cosmology, and space-time research, in a somewhat different manner, reinforce the sense that we as humans have barely begun to scratch the surface of potential modes of existence and consciousness beyond the range of our immediate experience.

[21] See R. Kook, *Eder ha-Yakar* (Jerusalem, 1985), p. 39 on the importance of national acceptance not only of the oral law, but even of the written.

it in mythic terms bearing moral rather than factual implications,[22] so too might some traditionally inclined academicians be forgiven for their inclination to view the findings of source theory itself as a heaven-sent opportunity to discover new and immensely enriching insights suitable for our times. Indeed, some of the most interesting and sensitive readings of the Bible being produced lately are ones that themselves are infused with the findings of biblical scholarship.[23]

Taken on their own, I might not have taken the trouble to spell out my objections to Hazony and Shapiro's renditions of my position. But aside from setting the record straight, an added motivation is my conviction that the widespread assumption of Modern Orthodoxy that embracing *Torah u-Madda* mandates equation of religious belief – such as Torah from Heaven – with the "facts of the matter" (along with the eclectic grab-bag of ad hoc apologetics that this assumption has engendered), has outlived its usefulness. In a postmodern age, which blurs sharp divisions between human predispositions and concepts of God, and acknowledges the role of subjectivity and multiple interests (descriptive, aesthetic, pragmatic, imaginative, and spiritual) in all formulations of truth, this approach needs to be replaced by an understanding that science and religion are not two players vying in the same ball-park in their respective attempts to capture ultimate Truth. Amongst other virtues, such understanding will afford us with a fresh appreciation of the role of human agency in the formulation of metaphysical truth claims and their place in the religious way of life.

[22] See R. Kook, *Iggerot Ha-Reayah* I (Jerusalem, 1985), p. 163-164.

[23] Some samples may be viewed on TheTorah.com. See also James Kugel, *The Great Poems of the Bible: A Reader's Companion with New Translations* (New York, 2018); idem, *The Great Shift: Encountering God in Biblical Times* (Boston, 2017), even though Kugel himself regards biblical scholarship, despite its truth, as irrelevant to the practice of reading the bible *as Torah*. My thanks to Elliot Sacks for directing me to this reference.