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Creating an Authentic Faith

Traditions and Traditionalism in Judaism

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The study of religion in colleges and universities aims to give students a comprehensive understanding of the social, cultural, theological, and intellectual processes through which people make sense of the world around them. In this context, examination of a diversity of religions is exceptionally important. Through the study of people who are different from us, we gain deeper insight into the nature of humanity—and of ourselves—than study of our own tradition alone can provide. This is because our evaluation of the other reveals something more significant than the obvious fact that different groups have distinctive philosophies and theologies. More important than this, study of the other reveals the extent to which the questions different peoples ask and the challenges they face are largely shared. Through the example of the other, therefore, we come to recognize the ways in which our own religious ideologies and practices are the results of choices, the products of our ancestors' and our own choosing of one path among a range of possible approaches to constructing a meaningful reality. Recognizing that one religion made one choice and ours took a different path is the beginning of the critical evaluation of our faith. This evaluation must begin in the recognition that our faith is not a simple given and did not have to develop exactly as it did. All religions are, rather, the products of human choices, made in response to the social, intellectual, and political environments in which people live from age to age. Our ability to see that is heightened by our study of diverse religions, a study that highlights the range of paths that have worked and continue to work for the peoples around us.

The following treatment of tradition in Judaism means to do more than provide some information about what Jews do and believe. The point, rather, is to facilitate reflection on and to deepen understanding of many different traditions. Surely your own community has needed to apply its core theology in a variety of different and per-

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haps radically changing historical circumstances. How has it done that? How has it discerned legitimate from inappropriate change? How has it maintained a sense of continuity with the past even as it has proposed beliefs and practices that respond to the needs of the present? Judaism has survived over thousands of years in radically disparate historical settings. It therefore provides a striking example of how such questions might be answered. These comments about Judaism are intended to raise your consciousness to the evolving history of your own religion and to that religion's potential theological and spiritual evolution.

The Nature of a Traditional Religion

The term tradition signifies the theological and ritual content of a religion: the beliefs, doctrines, cultural values, moral standards, and especially the particular behaviors through which individuals and communities express their commitment to an inherited way of life. By tradition, we may refer to everything from theological and ethical premises, to language, modes of dress, and choices of cuisine. Most important is that, insofar as these elements of communal life are transmitted from generation to generation, the term tradition signifies not only the content of a religious culture but also the process through which that culture is passed down from age to age. The designation of religious beliefs and practices as tradition implies that religious culture preserves a past way of life, transmitting that inherited worldview and set of social and cultural norms from antiquity to contemporary times (see Yagod 1972, col. 1308; on this topic in general, see Avery-Peck 2000, 1458–1465).

True to this definition, Judaism associates the term tradition with its concept of Torah. The word Torah, which might be translated “divine instruction” or “revelation,” refers in Judaism to the code of law and practice that Jews understand God to have revealed to Moses at Mt. Sinai, as described in the biblical book of Exodus. Moses ascended Mt. Sinai, met face to face with God, and was instructed regarding all aspects of the proper belief and the correct lifestyle that would comprise the religious civilization that came to be known as Judaism. As the Bible's own mandate required and as later forms of Judaism insist, this revelation subsequently was transmitted—whether in writing, by word of mouth, or through example—from generation to generation. The sources of Judaism from antiquity and to modern times accordingly describe Judaism as a “traditional” religion. These sources comprehend the rituals, lifestyles, and theological underpinnings of Judaism to conform to a transmitted system of law and practice.

And yet it is here that a critical evaluation of the content of Judaism must be introduced. At stake is the question of what it actually means to assert that a religion such as Judaism is “traditional.” How can a religion that has so evidently evolved be called a tradition at all? The concept of religion as tradition sees the religious individual always as

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standing “in a long process of thought, with the sole task of refining and defending received truth” (Neusner 2003, 1920). This concept of religion and tradition would understand all Jewish thought and practice from Sinai and to the present to be nothing more than an articulation of the content of God’s original revelation. And yet, as is clear even to casual observers, Judaism, whether in antiquity or in its contemporary manifestations, is hardly a simple reiteration of the religious thought and social practices introduced in Scripture. It is, rather, a product of the evolving thought and shifting structures of ritual through which Jews have responded to the problems, issues, and questions of each particular age. That, of course, is the opposite of what a strict concept of tradition demands.

To speak meaningfully of tradition in the context of Judaism, we must delve below the obvious fact of Judaism’s focus on the concept of Torah. At issue is how we explain the manner in which, in Judaism, inherited practices or ideas actually have been used within successive historical periods. How have the details of tradition been manipulated to create a sense of continuity, and hence of authenticity, within the diverse settings in which they have been placed? How has a sense of traditionality survived within what are creative and often independent systems of Judaic belief and practice?

An examination of one of the central shifts in Judaism—the shift from the beliefs and practices described in the Hebrew scriptures to the post-biblical, Rabbinic religion that has defined Judaism from the first centuries CE into our own day—will help us answer that question. The larger point of this historical survey is to show that our usual idea of religion as tradition is not useful in helping us understand the historical experiences of the Jews. We see that we can neither speak of a single monolithic religion, Judaism, nor attempt to characterize Judaism overall either as traditional or not traditional. Judaism has survived and survives because of its adherents’ willingness over the years to respond to the diverse circumstances in which they have found themselves. They have done this sometimes by foregoing the inherited system within which ancient traditions made sense, by forsaking the demands of tradition altogether. But in other circumstances, they have found strength by focusing intently upon inherited patterns of thought and behavior, that is, by being traditional. Traditionality is not a fixed component of Judaism but one potential response to the changing historical circumstances in which Jews over the ages have found themselves. Fully to comprehend this idea and to understand the ways in which tradition has functioned, or failed to function, in Judaism, we begin at the beginning of the story, with the biblical system and its distinctive perspective on and attitude toward tradition.

The Biblical System

Scripture’s story of Egyptian bondage, the Exodus from Egypt, and the events of Sinai is at the heart of the biblical system. It is an appropriate place to start because the Exodus theme is mentioned in Scripture approximately 120 times, more than any other historical

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event or theological concept. While Scripture clearly encompasses other—even contrary—ideas, this is incontestable evidence of the Exodus's centrality in the religion of Israel. Most important for our purposes is the extent to which, in Scripture, the victory over Egypt established God's sole and absolute power over history. As a result, history was to be recognized in general as an arena of divine activity. What people experienced was a sign of the divine will, and so was endowed with theological meaning. Ancillary to this point is that the Exodus narrative, with its miracle working God, sets out the idea that, "knowledge of God's qualities and of his demands on Israel can be acquired only insofar as God takes the initiative in revealing them" (Sarna 1992, 698–99). What God wants us to know about him, God tells or shows us directly.

By focusing on these points, Scripture established what unequivocally was to become a traditional religion. In that religion, all personal and communal practices replicated that which was passed on from generation to generation, authenticated by their ultimate source in the divine.¹ In the biblical picture, knowledge of and faith in God did not result from theological or philosophical speculation, and this means that humans were not empowered either to discover new aspects of the reality of God or to create new modes of serving God. Rather, knowledge of God and the proper modes of worshipping God and living in the community created by God were revealed in full at Sinai. All future religious activity was to demarcate the religious individual as standing always "in a long process of thought, with the sole task of refining and defending received truth" (Neusner 2003, 1920).

It bears noting here that even as Scripture established a religion insisting on the exacting maintenance of tradition, it did not itself emerge out of a commensurate commitment to tradition at all. Scripture's authors and editors, of course, preserved a host of inherited practices. But they legitimated those antecedent norms by placing them in a new theological context, in an explanatory framework distinctive to their own view of the world and their own societal needs. Thus the old agriculture holidays, for instance, were given totally new explanations, situated now within a theology that focused not on the "rhythm of nature and the life of the soil" (Sarna) but on the path of redemption that led from Egypt, to Sinai, to the Promised Land. Scripture, rather than a reflection on and affirmation of the past spoke to a present age in a new and distinctive voice, creating a system that centuries after the Exodus explained who its readers were as Israelites, how they got to where they were, and what they could expect should they adhere to the laws set out in their holy book.

What is important as we turn to the Rabbinic period accordingly is not simply whether or not the Rabbis continued to insist upon Jews' adherence to biblical law. This, without doubt, they did. At issue, rather, is how they understood this law, how they imagined the law was to be determined, their perception of the source of its hold upon the people, and

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their definition of its purpose within the life of the community. If these perceptions remained the same as in Scripture, we can argue that we are dealing with a traditional religion. But if they did not, then, no matter what traditional actions or rituals were retained, the evolved religious system as a whole cannot be deemed traditional. When we move forward from the Scriptural period to that of the Rabbis of the first centuries CE, we see in fact that, even as the Rabbis maintained the practices of biblical Judaism, they, like Scripture's authors before them, placed those traditions within a newly imagined systemic structure, a structure quite foreign to anything that had existed previously. Rabbinic Judaism, responding to historical realities quite different from those anticipated by Scripture is anything but a traditional religion.

The Rabbinic Period

Scripture encouraged the Jews' adherence to the traditions of their nation by insisting that following the words of Torah would assure national sovereignty and security. The problem was that the Israelites' actual experiences in history did not conform to what the biblical authors had promised. The united monarchy created under David was short lived, and the separate northern kingdom that emerged at the end of David's son Solomon's reign soon had succumbed to Assyrian domination. In 586 BCE, Nebuchadnezzar of Babylonia conquered the remaining southern kingdom and destroyed Solomon's Temple, the enduring symbol of God's presence within the nation. Surely, the ensuing exile of the Jews, understood as God's punishment for the nation's sinfulness, was followed some fifty years later by permission to return and the rebuilding of the Jerusalem Temple under the Persian leader Cyrus. These paired events of exile and return undeniably supported the biblical view of God's power in history and of the inextricable relationship between apostasy and punishment, atonement and reward. But the roughly five hundred-year period between the rebuilding of the Temple under Cyrus and the destruction of this Temple in the course of a Jewish revolt against Rome in 66–73 CE, made it increasingly difficult for Jews to accept without modification the inherited biblical theory. The physical dispersion of the Jewish nation and the people's governance, whether in the Promised Land or elsewhere, by foreign rulers meant that Scripture's explanation of the need to follow inherited practices ceased to make sense. The emergence in this period of diverse Judaisms—new worldviews and ways of life that competed for individual Jew's loyalty—was natural in a period when the inherited system decreasingly explained the circumstances of the dispersed Jewish nation.

But it was primarily the Second Temple period's end point, the destruction of the Jerusalem Temple in the war with Rome in 70 CE, followed in 133–135 CE by a failed revolt under a Jewish messianic general called Bar Kokhba, that made it clear that diaspora, foreign domination, and the growing irrelevance of the Temple-cult would

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become permanent aspects of the Jewish condition. The *beginning* of the Second Temple period had taught Jews to live as Jews far from their national homeland. The *end* of this period made firm the message to which many had begun to respond even while the Temple stood: Jews now would need to worship God and practice Judaism without the priestly service and with no expectation of an immediate return of Israelite sovereignty over the land of Israel—no more prophecy, no more miracles, no more God-driven military victories.

These facts, not surprisingly, stand at the foundation of the new and central form of Judaism of this period. Rabbinic Judaism arises at the end of the Second Temple period and, in the subsequent five hundred years, becomes the dominant mode of Judaism practiced by all Jews. This Judaism faced squarely the challenge presented by the reality of Jewish existence in the post-biblical period, a reality depicted forcefully by those events of the first centuries CE that led Jews to evaluate carefully who they were and what they believed. To summarize:

1. Rabbinic Judaism was conceived in the period following the war with Rome that, in the first century, led to the destruction of the Jerusalem Temple.
2. The Rabbinic program for Judaism was shaped in the immediate aftermath of the devastating Bar Kokhba Revolt of the second century, which left as many as half a million Jews dead and which resulted in Jerusalem's being turned into a Roman colony, with a Temple of Jupiter Capitolinus erected on the Temple Mount.
3. Rabbinic Judaism achieved its classical formulation and gained control over the Jewish nation as a whole in the fourth through sixth centuries, the period of the firm establishment of Christianity as the official religion of the Roman world.

The destruction of the Temple, the failed Bar Kokhba revolt, and the ascent of Christianity potentially meant the end of the Jews' perception of their destiny as a great and holy nation—the chosen people. The Temple's destruction meant that, as in the period of the Babylonian exile, the cult ceased operation. But this time, the failure of the Bar Kokhba revolt meant that any expectation of the rebuilding of the Temple or of the return to the way things had been was unrealistic. And the success of Christianity, which claimed to embody a new covenant, meant that even the notions of Israel's chosenness and unique relationship to God were subject to significant challenge.

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In these ways, both the political and theological contexts in which Judaism's inherited practices had made sense were altered dramatically. The Temple, for the Jews the visible sign of God's presence and dominion, was gone. The cult, through which the people had acknowledged God's lordship and appealed to his mercies, had ceased. The land of Israel was now under foreign rule, with little hope for its return to Jewish sovereignty. As a result of these events, the nation lost the symbols of its power, the sign of its place within the family of nations, and the physical representation of its stature before God. Clearly, in the face of such historical developments, people had good reason to question their continuing covenantal relationship with the one who had created the world and who controlled all history.²

While little evidence survives to describe how the Jewish people as a whole responded to this question, it is clear that the nation faced contradictory needs. On the one hand, the tradition would hold. The memory of the Temple and nationhood could not easily be erased. Any new direction would need to reflect the inherited attitudes, practices, and institutions that represented the heart of biblical religion. On the other hand, now the tradition would seem somehow deficient. The devastating wars caused by the belief that God would fight on behalf of his people meant that new theologies and new leaderships that followed quite different paths were most likely to succeed (Freyne 1980, 122–123; Avery-Peck 1992(a), 409–431). In the context of our discussion of the meaning and power of tradition, this point is central, for it suggests the extent to which a new historical reality demanded a new formulation of Judaic belief and practice. We do not fully comprehend Judaism if we reflect only upon the traditions and rituals Rabbinic masters insisted the people continue to follow. At issue, rather, are the reasons for and purposes of those practices within a newly created Rabbinic system.

Rabbinic Judaism succeeded not because of its continuity with the past but because it completely refocused biblical ideology, creating a mode of Judaic identity and practice appropriate to the distinctive circumstances of its own age. Like the biblical religion it replaced, Rabbinic Judaism, is not really a traditional religion at all. Rather than focusing on and working to preserve what is historically authentic, it presents a new systemic context for the conduct of Jewish life. Let us look at the details of how this was accomplished.

The Rabbinic Program

In line with the contradictory needs of an evolving Judaism, under Rabbinic leadership Judaism continued to be shaped by the model of the Temple-cult. Jews fervently prayed for the rebuilding of the Temple, the reestablishment of animal sacrifice, and renewed Israelite sovereignty, to be achieved, as the Bible had promised, through God's personal intervention in history. But in the Rabbis' day, these occurrences seemed increasingly distant and unlikely. And so the return to the way things had been was no

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longer viewed, as in Scripture, as an expectation of our history but, instead, was depicted increasingly as a signifier of the advent of a messianic age. These were events that would occur only at the end of time and that, contrary to what the biblical thinking had suggested, could not be instigated by the Israelites' own actions, for instance, through a military rebellion such as had taken place under Bar Kokhba. The people, even as they prayed for Israelite sovereignty and the rebuilding of the Temple, thus were to imagine these events as part of the culmination of history, quite distinct from the reality of their everyday life and not immediately affected by their fulfillment of quotidian religious and communal obligations.

This means that Rabbinic ideology entirely refocused the people's concerns and rethought the purposes of their traditional practices. Judaic life no longer focused on the events of political history, which are, after all, far beyond the jurisdiction of the individual. People came to be concerned only with events within the life and control of each person and family. What came to matter were the everyday details of life, the recurring actions that, day-in and day-out, define who we are and demarcate what is truly important to us. How do we relate to family and community? By what ethic do we carry out our business dealings? How do we acknowledge our debt to God not only or primarily for the events of past history or the awaited future but for the food we eat and for the wonders of the universe evidenced in the daily rising and setting of the sun?

In this way, the Rabbis created what would in fact be a religion of traditions. This Judaism demanded that each Jew authentically maintain the communal practices and norms handed on from the past, through the long years of diaspora life, remaining true to the original revelation at Sinai. And yet, in order to accomplish this, the Rabbis also completely reworked the ideology that stood behind Scripture's insistence on observance of Torah. No more were the people to see an immediate relationship between conformity to tradition and God's saving of the people. The point and purpose of Torah-tradition was to create a social and ethical environment in which the people would prepare for the salvation that would come at some future time, in some undisclosed manner, God's methods and ways—contrary to the central theme of the Bible—being inscrutable.

This shift, in turn, entailed the invention of many practices that stand today at the heart of all so-called traditional modes of Judaism. The people, as Scripture had indicated, were to live as a nation of priests. With the demise of the Temple-cult, this came to mean that common people, non-priests, would eat their food as though it were a sacrifice on the Temple's altar and would see in their personal daily prayers and in their shared deeds of loving kindness a replacement for the sacrifices no longer offered. So the detailed Jewish traditions of ritual cleanliness, along with a host of synagogue and home rituals, while associated with practices found in Scripture, derive from the post-biblical world in which these customs helped create the close-knit community that Scripture, for

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its part, imagined as emerging from a monarchical governance and priestly leadership. The Rabbis thus sowed the seeds of a Judaism that, in the following 1500 years, would be increasingly steeped in and dedicated to the preservation of tradition. But they did not accomplish this simply or primarily by focusing on and preserving the traditions they had inherited. They did it by systematically rethinking the content and nature of Judaism. They created a religion of traditions. But, from the perspective of Scripture, theirs was not a traditional religion.

Sources of Knowledge in Rabbinic Judaism

This point is made clear when we examine the theologies through which the Rabbis legitimated the dramatic changes they made in biblical ideology. How, we ask, did they claim to articulate an authentic vision of God's will even as they offered approaches to Judaic thinking and practice foreign to the norms expressed in Scripture? While this is a question that all religious reformers must answer, the issue was particularly pressing for the Rabbis, given inherited Judaism's insistence on the role of God as the sole arbiter of required practice.

The Rabbis, of course, were not the first leaders of innovative movements within Judaism who had to answer this question. But, interestingly, prior Judaic innovators represented, for instance, in the Apocryphal and Pseudepigraphal literatures as well as in the Dead Sea Scrolls, had answered the question in a quite traditional manner. They had taken up Scripture's own language and literary styles, indeed used the names of those to whom, in Scripture, God had spoken directly. In this way, they claimed to speak with the authority of the revelation recorded in Scripture. Prior iterations of the biblical system had asserted their legitimacy by claiming to stand in direct succession to, or, more accurately, simply to be a part of, the biblical system.

Rejecting such traditionalism, the Rabbis took a different tack. Expressing their own sense of crafting something new and different, they used new languages—middle-Hebrew and Aramaic—and new literary forms, dialectical discussions of law rather than historical narrative and apodictic commandments. More important, rather than claiming to record God's words, with their obviously authoritative stature, the Rabbis focused on and recorded their own perspectives and legal opinions, in their own names. Just as, in its theology, Rabbinic Judaism stands outside the context of prior Israelite tradition, so the Rabbis' literary forms express the extent to which they were doing something new and independent. The dramatic nature of this shift is clear when we examine a passage of the Babylonian Talmud, the document that, by the sixth century CE formalized the Rabbinic program. Even before we begin our discussion, several points deserve attention.

First, in this passage, the Rabbis argue about a familiar issue from Scripture's priestly code, concerning the susceptibility to ritual uncleanness of a certain kind of oven.

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While the details of the issue need not detain us, we should remain conscious of the fact that such uncleanness once mattered only in the setting of Temple ritual. Yet the discussion before us takes place some sixty years after the Temple's destruction and the cessation of the cult.

Second, in ancient Judaism, the Temple-priests were the authorities on Judaic law and the arbiters of all issues of ritual practice. But in the passage before us, Rabbis—non-priests—assert their right to debate and establish cultic law.

Third, by the second century CE when this discussion takes place, there had been over one thousand years of Temple history, during which rules of ritual cleanness would have been established and known to the priests. But the Rabbis before us debate the issue without reference to any inherited norms and with no interest in turning to priests or anyone else who might, through tradition, know the answer to their question. So even as the Rabbis claim to articulate a divinely sanctioned law, they clearly are working entirely outside the scope of *inherited* norms of tradition. The Rabbinic radicalism is even more apparent as we turn to the specific content of our passage (Babylonian Talmud Baba Mesia 59b):

- A. On that day [in the context of the debate over the susceptibility to uncleanness of a certain type of oven], R. Eliezer brought forward all of the arguments in the world, but they [that is, the other Rabbis] did not accept them from him.
- B. Said he to them, "If the law agrees with me, let this carob-tree prove it!" The carob-tree was torn a hundred cubits out of its place.
- C. They said to him, "No proof can be brought from a carob-tree."
- D. He said to them, "If the law agrees with me, let the stream of water prove it!" The stream of water flowed backward.
- E. Again they said to him, "No proof can be brought from a stream of water."
- F. Again he said to them, "If the law agrees with me, let the walls of this house of study prove it!" The walls tilted, about to fall.
- G. R. Joshua rebuked the walls, saying, "When disciples of sages are engaged in a legal dispute, what role do you walls play?"
- H. Hence, they did not fall, in honor of R. Joshua; but nor did they resume the upright, in honor of R. Eliezer.
- I. Again [Eliezer] said to them, "If the law agrees with me let it be proved from heaven!" An echo came forth [from heaven] and said, "Why do you dispute with R. Eliezer? For in all matters, the law agrees with him!"

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J. But R. Joshua arose and exclaimed [citing Deuteronomy 30:12], “*It [the law] is not in heaven!*”

K. [Later] R. Nathan met Elijah [the prophet] and asked him, “What did the holy one, blessed be he, do at that time?”

L. [Elijah] replied, “He laughed, saying, ‘My sons have defeated me! My sons have defeated me!’”

The Hebrew Bible, we recall, asserts that God’s demands on Israel are known only because God takes the initiative in revealing them. Strikingly, the Rabbis here reject this concept, denying that overt revelatory acts of God, illustrated in this text by God’s attempt to intervene in the activities of the study house, have any place at all in establishing tradition. Instead, this story asserts, the law is determined only by a vote of the majority of sages, who establish proper conduct based upon their wisdom and knowledge. In making their decisions, they are to give no heed to supernatural interference. Human beings, not God, thus have the capacity to determine the content of Torah. More important in exercising this capacity, the sages even bind God to their decision. They, and not God, are the ultimate arbiters of what Judaism demands.

At issue is the nature of the “defeat” about which God in the end will laugh. Surely, God chuckles over the unexpected result of his own success as a parent. God has created and nurtured children, imbuing them with such a sense of responsibility and intellectual cunning that they insist on living in a world of their own making. In their original setting in the book of Deuteronomy, God’s words, “It is not in heaven,” mean only that people cannot deny that they know the law and are able to follow it. Now these words come back to haunt God. If the Torah is on earth and not in heaven, if it is in the people’s mouth and heart, then God may interfere no longer in its interpretation. The law is among the sages. They are empowered to engage in reasoned debate and then to vote. They thereby take over the role of God in revealing Torah.

But there is an even more significant way in which God’s children have defeated him, a way that also has direct implications for our comprehension of tradition in Judaism. This is in the fact that God, as much as the people, is bound by the rules of Torah. God, just like the people, must accept and follow the logically decided view of the sages on earth. That which they deem holy and right becomes, in a cosmic sense, even in God’s mind, holy and right. The human mind and intellect come to determine the content of God’s mind and intellect.³ Human beings define the ultimate reality in the world and hence shape the content and substance of Judaism.

The Rabbis legitimated their authority to speak in the name of God by reconceptualizing the very concept of revelation. They understood that, at Sinai, God had revealed to Moses more than the material that came to be included in the written Scripture, the con-

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tent of which had been transmitted in writing and made accessible to all of the people of Israel. In addition to this, the Rabbis asserted, God had revealed to Moses a second corpus of law, a body of knowledge that was formulated for memorization and transmitted orally by successive generations of sages, from God to Moses, to Joshua, to “elders,” to the biblical prophets, and so on, ultimately into the hands of the Rabbis themselves (Mishnah Abot 1:1ff.).

In the Rabbinic theory, the Written and Oral Torahs are part of a single, uniform revelation and are, accordingly, of equal authority and importance. This means that when a second-century, fifth-century, or even a contemporary rabbi responds to a question from his own day, his, or in our times, her, judgment does not comprise simply an *analysis*—an interpretation—of the Written Torah found in Scripture. Rather, though expressed in his own words and responding to a question or issue raised in his own time, it is part and parcel of the divine revelation of Torah to Moses at Sinai. The rabbi’s thinking in every respect has the same authority as the written revelation contained in Scripture. This means that, in the hands of the Rabbis, traditions of practice are not only transmitted but also created and legitimated as sanctioned by, even demanded by, God.

The point of this observation must be clearly stated. It is not that extra-biblical traditions regarding ritual practice and the meaning of Scripture did not exist in pre-Rabbinic antiquity. Certainly the communal and religious life of the Jews depended upon traditions of how specific biblical precepts would be followed. So the point is not that, prior to the Rabbis, Jews did not transmit extra-biblical “traditions” from age to age. It is, rather, that the Rabbis did not simply take up and preserve those traditions, as would be anticipated in the case of any traditional religion. Nor did they try to legitimate what they consciously made up as part of the inherited set of norms. Rather, the Rabbis developed an entirely new and, from the perspective of Scripture, unanticipated stance toward the very nature of revelation and the legitimating of tradition (Avery-Peck 1992(b), 34–37). The biblical system, we recall, cherishes God’s brilliant acts in history, the signs and miracles that show the people God’s power and dictate God’s will. Living in a period in which such signs are elusive and in which historical circumstances no longer seem to reflect God’s will, the Rabbis rejected the old approach, not simply as obviously flawed but as an inappropriate path to piety.

The Rabbis rejected the coercion implicit in a theology that understands God to force belief and conformity to his will through displays of power. Central to Rabbinic faith, instead, is the individual’s coming to find God through contact with the compelling divine word, through knowledge of and adherence to the Torah revealed through acts of human intellectualizing and debate. In an odd way, exactly by placing the power to define tradition in human hands, the Rabbis made the powerful point that, despite the way the events of history made things seem, God still exists, still rules over the people,

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and still can be depended upon to bring redemption. It is only for these reasons that Torah still matters at all, still must be explicated, still must be followed. But in the Rabbinic system, the God who had been understood to make and destroy nations is pictured instead as responding to everyday Jews who engage in the study of, and therefore the creation of, revelation. In essence, Rabbinic Judaism makes possible life in the variety of cultural, social, economic, and political contexts in which Jews have lived for the past two thousand years by saying that, at heart, the Jews themselves have the power not simply to interpret but to reveal God's will. The invisible God is present in the mind and intellect of each Jew. And in following the practices they themselves uncover, they assure continuity with traditions of Judaism going back to Sinai.

The Concept of Tradition in the Evolution of Rabbinic Judaism

Notably, it is exactly this systemically distinctive and theologically innovative program for Judaism that created the Jewish culture that would survive in the diasporic circumstances of the subsequent 1500 years. The Rabbinic system facilitated this survival through two related processes. On the one hand, the Rabbinic conception of revelation meant that Rabbinic leaders could initiate and legitimate the practical changes that would allow Jews over time to accommodate to the varied cultures in which they lived (Marcus 2004). At the same time, the Rabbinic system's establishment of a Judaism based more in law and practice than in theological debate meant the creation of an exceedingly distinctive Judaic culture. Under Rabbinic leadership, Jews became increasingly dedicated to the preservation of traditional communal norms. Distinctive diet, dress, language, and a host of cultural and ritual behaviors represented to Jews both their adherence to the divine will and their differences from the outside, non-Jewish world, a world that, in all events, for much of pre-modern history, had little tolerance for them.

Indeed, within the setting of Rabbinic Judaism, the very concept of tradition took on a meaning that, in Scripture, it could not have. This was the idea that a practice could become authoritative not because it was demanded directly by God but because of its having been legitimated through its acceptance by the community. "Tradition"—in the sense of a required practice of Judaism—came to encompass both that which derives directly from Torah and from customs, folkways, and other practices that were created and accepted as mandatory by the people.⁴ Rabbinic Judaism, while increasingly a religion of tradition, thus remained pliable and susceptible to developments and adaptations that would allow it to shape and be shaped by the real life circumstances of its adherents.

For those who see as central to a structured religious community the consistent application of a unitary and unchanging divine law, this attitude of Judaism certainly appears odd. Along with sanctioning sometimes dramatic changes in practice, it establishes a system in which diverse communities can develop quite distinctive ritual and

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cultural norms, each arguing on the basis of Rabbinic law the validity of its own particular approach. What then demarcates authentic statements of Jewish belief and practice, and what legitimates one direction of development while precluding as inauthentic a different one?

There are two answers to this question. The uninteresting answer is that during the medieval period, the relative openness of Judaism to diverse rituals and practices threatened a communal crisis. As the centers of Jewish life spread throughout Europe, local customs became more and more divergent, portending the danger of schism. This problem led to the emergence among the Rabbinic class of a critical program of tracing the origins and reasons for individual customs and, on this basis, establishing some uniformity of practice (Greenstone, 397; Avery-Peck 2000, 1464–1465). While hardly eradicating the differences between local customs of nearby communities, let alone of communities around the world, this codification established a method of evaluating specific practices so as to determine what was and was not acceptable.⁵

But there is a more interesting, and I think more accurate, answer to the question of what establishes legitimate thought and practice within Rabbinic Judaism. This answer emerges from the recognition that, at its foundation, the Rabbinic conception of revelation itself takes into account the potential for divergent interpretations and practices and so tolerates the existence of diametrically opposed views claiming to represent the divine will. Thus the Talmud comprehends the differing legal perspectives of disputing authorities all as representing “the words of the living God,” and it even imagines, in one example, that Rabbis who engaged in a bitter dispute over the nature of the dietary requirement in all events ate at each other’s table. Be this as it may, what seems beyond dispute is that the very circumstance of Jewish communities from Talmudic times and on, living as minorities among other religions and lacking a central structure of authority, would both lend itself to and be strengthened by the diversity of approaches and the acceptance of differences and change that the Rabbinic system promoted.

At stake within Rabbinism was not so much the specifics of practice but the fact that individuals accepted the larger structure of the system for determining law. Living under and accepting what has been termed the “yoke of the law” meant much more than the specifics of how a community defined that law. Based on the Rabbinic theory that revelation is a product of human debate and discovery, that different Rabbis and communities reached different answers on important questions of practice and theology was for the most part not seen as a threat to Jewish unity. Rather, sometimes dramatic differences in responses even to important issues were an important aspect of the survival of a people that was, despite these divergences, united by a single, fundamental shared value: dedication to the ideal of Torah and to the role of the human intellect in advancing an ongoing chain of study from the time of Scripture to the present.

Tradition, Traditionalism, and Modernity

In the end, the best way to convey this point is to illustrate the distinction between forms of Judaism that are traditional—focusing on past theologies—versus those that are systemic and non-traditional—developing innovative and internally cogent ways of thinking about the tradition in response to contemporary needs. Oddly, the former, traditional, approach is exemplified when we look at some of the most radical manifestations of Orthodox Judaism today. In the SoHo area of Manhattan, for example, now exists an orthodox place of worship referred to by those who designed it as a “boutique synagogue.” Its goal is to bring a contemporary singles-club style to classical Jewish practice. “You might have to RSVP. There might be a roped line. It will totally be a scene. But it’s all Kosher,” Rabbi Dovi Scheiner, its orthodox founder, is quoted as explaining (Liebman 2005, 17). As dramatically as Rabbi Scheiner’s institution diverges from the expected character of a synagogue, its proponents have no desire to challenge the inherited tradition or the specifics of traditional practice. There is here no rethinking or reevaluation of inherited theologies, only a focus upon and an attempt to maintain the inherited traditions within the community of today.

An even more radical example is the recent emergence of orthodox prayer groups that require the separation of the sexes—a prime signifier of Orthodox traditionalism—but that allow women to act as prayer leaders for certain parts of the worship service—something heretofore unheard of within Orthodoxy (Sege 2005, C1, C8). Striking is that this practice has emerged exactly among the groups of young Jews most dedicated to the preservation of the system of Rabbinic legislation. Their approach, that is to say, is limited to and legitimated by what contemporary Rabbinic authorities find to be acceptable under Torah-law. We find dramatic changes in ritual practice emerging as a clear response to the cultural norms of the contemporary West. At the same time and most important within Orthodoxy, these shifts in practice are overlaid on the retention of the theory of revelation, the preservation of the concept of Rabbinic authority, and the strict adherence to trajectories of practice allowable within the structure of the inherited tradition. These may, therefore, be deemed traditional modes of Judaism.

But as with the emergence of Rabbinism two thousand years ago, there are alternatives. The fact that, alongside the preservation of traditionalism, modernity has engendered a dramatically contrary response clarifies my larger point. Rabbinism’s rejection of the traditionalism of its age occurred in a period when large segments of the Jewish community had good reason to find the inherited Israelite faith unworkable. Similarly, dramatically changed social, political, and economic circumstances in the late eighteenth century and beyond made Rabbinic Judaism unsuitable to the goals and worldviews of vast numbers of Jews in the nascent modern period. These Jews no longer saw themselves as different from the peoples around them and could not find meaning in a religious sys-

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tem that demarcated them as different. Jews who wished to participate fully in the non-Jewish cultures suddenly welcoming them could not accept the received tradition's claims about the character of revelation, the nature of the relationship between the people of Israel and God, and about the ultimate disposition of history. Even where these Jews continued to follow some practices of traditional Judaism, their reasons for selecting the retained practices marked them as outside of the traditional religion. Within early Reform, a practice's legitimacy was decided not by its place within Rabbinic ideology but by whether or not the modern mind found the practice edifying. This central hallmark of Reform yielded a Judaism that is systemically distinctive, designed to solve the theological and cultural problems of a new period in the life of the Jewish people without regard for inherited religious ideologies.

Rabbi Alfred Gottschalk, Chancellor Emeritus of the Hebrew Union College-Jewish Institute of Religion, the seminary that ordains Reform Rabbis, states simply what he believes determines authentic Jewish practice (Gottschalk 2000, 236): “[A] Jewish religious experience or practice is authentic by virtue of its ‘living center’ and because of the fact that it expressed itself in accord with the genuine need of the time.” Judaism, in this view, is the religion Jews create to meet their contemporary needs, not to conform to ancient ones. Recognizing the distance between this view and the traditional Rabbinic one, Gottschalk continues:

Orthodox Judaism rejects this or any similar view. It asserts that these [contemporary] expressions of Judaism are not genuine, that somehow they are merely “copies” of the environment, issues merely of time and place, and not in consonance with the vast matrix of Torah handed down from Moses and Sinai...(236)

But it is exactly the view that Gottschalk challenges and rejects, which upholds the immutability of two thousand years of Rabbinic Torah-teaching, that has, since the first centuries, defined Rabbinic Judaism as a traditional religion, however innovative that Judaism was in its own period of formation.

The point for us is not to judge who is correct, the Orthodox or the Reform, in their setting out of visions for contemporary Judaism. The point, rather, is to recognize that traditionalism cannot be defined simply by the *practices* a community of Jews chooses to follow or reject. At stake, rather, are the modes of thought and theological contexts within which individual rituals or encompassing sets of communal practices are given meaning and importance. The issue is not just what a religious community does but why its members do it—the system of thinking within which behavior has meaning and makes sense. Jews, we have seen, have had the capacity over long periods of time to adhere to

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monolithic and relatively unchanging systems of practice and belief. Perhaps more interesting is that, in periods of dramatic social, political, economic, and intellectual change, they have shown an equal capacity for creating systemically new and innovative approaches to comprehending their relationship not just with their traditions but with God. It is as much this capacity for systemic change as the dedication of generations of Jews to an unchanging set of traditions and beliefs that has vouchsafed Judaism's survival from antiquity to today. †

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Notes

1. Referring to Exodus 20:5-6 and 34:6-7, where God describes himself as compassionate and gracious, yet visiting the sins of the parents on the children, Sarna puts things as follows: "These descriptions are presented as God's self-revelation, not as the product of speculation or experience. The same idea that, to know God, man must depend on God's self-disclosure is implicit in Moses' request, 'Let me know your ways' (Exodus 33:13), and it is inherent in the obligations of the covenant set forth in the Decalogue, which is portrayed as being the content of a great national theophany. It governs Israel's understanding of the law. All the legislative complexes of the Pentateuch are formulated as a series of divine commands to Israel, albeit mediated by Moses."

2. This issue was phrased succinctly and emotionally shortly after the destruction of the Second Temple. The author of IV Ezra asked (3:32-34, 6:59): "Have the deeds of Babylon been better than those of Zion? Has any other nation known You besides Zion?... If the world has indeed been created for our sakes, why do we not enter into possession of our world? How long shall this endure?"

IV Ezra's question directly challenges inherited biblical beliefs about the way in which God carries out his will through the control of history. The Jews had known God and followed the path of Torah, and yet they had been dispossessed by nations who had not known God at all. How could this be?

3. Note the significant difference between this approach and that suggested by Scripture. At Exodus 18:13-27, when Moses sets up of a system of judges, he explicitly tells the appointed leaders that they may pass judgment only in cases in which the rule to be followed already has been explicitly stated. These judges have no independent legislative or even broadly interpretative function. To deal with any new circumstance,

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they must come to Moses, who presumably will inquire directly of God regarding the law. In general, when confronted with legal issues, e.g., in the case of the daughters of Zalaphehad, Moses brings the question to God. The Rabbis, by contrast, comprehend the product of their own thinking to be coincident with what is in God's mind.

4. See Shulhan Aruch, Yoreh Deah, 376, 4, Isserles' gloss. The new theory of tradition is recognized in Rabbinic authorities' reading of the directive of Proverbs 22:28—"Remove not the ancient landmark which your fathers have set"—to refer to the inherited customs of the Jewish people, which were to be accepted and followed like all other dictates of the Torah.

5. Note that, despite this codification of customary practices, a basic and consequential division remains, between Jews who adhere to Spanish and Portuguese ritual (Sephardim) and those who follow the German and Polish practices (Ashkenazim). Differences are found in aspects of ritual, cultural, and communal life. Yet there is no sense that one group's practice is more correct, let alone that these two groups in any regard adhere to "different" religions.

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