

Ran HaCohen
Reclaiming the Hebrew Bible

Studia Judaica

Forschungen zur Wissenschaft des Judentums

Begründet von
Ernst Ludwig Ehrlich

Herausgegeben von
Günter Stemberger

Band 56

De Gruyter

Ran HaCohen

Reclaiming the Hebrew Bible

German-Jewish Reception of Biblical Criticism

Translated by
M. Engel

De Gruyter

ISBN 978-3-11-024756-5
e-ISBN 978-3-11-024757-2
ISSN 0585-5306

Library of Congress Cataloging-in-Publication Data

HaCohen, Ran.

Reclaiming the Hebrew Bible : German-Jewish reception of biblical criticism / Ran HaCohen.

p. cm. — (Studia judaica, Forschungen zur Wissenschaft des Judentums)

Includes bibliographical references and index.

ISBN 978-3-11-024756-5 (hardcover 23 × 15,5 : alk. paper)

1. Bible. O.T. — Criticism, interpretation, etc. — Germany — History — 19th century. 2. Judaism — Relations — Christianity. 3. Christianity and other religions — Judaism. 4. Germany — Ethnic relations. I. Title. BS1160.H25 2010

221.6'60882960943—dc22

2010034601

Bibliographic information published by the Deutsche Nationalbibliothek

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available in the Internet at <http://dnb.d-nb.de>.

© 2010 Walter de Gruyter GmbH & Co. KG, Berlin/New York

Printing: Hubert & Co. GmbH & Co. KG, Göttingen

∞ Printed on acid-free paper

Printed in Germany

www.degruyter.com

Preface

This volume is based on a revised version of a Hebrew book published in 2006, which emerged from my doctoral dissertation. Its English translation was supported a generous grant by the Lucius Littauer Foundation (New York), for which I am most grateful. I would also like to thank Michelle Engel for her conscientious translation.

I wish to express my gratitude to various mentors and colleagues: First and foremost to Professor Yaacov Shavit (Tel Aviv) for his unfailing and inspiring support; to my friends Dr. Gabriele von Glasenapp (Frankfurt a.M.) and Dr. Rima Schichmanter (Tel Aviv) for their continuous encouragement and assistance; to Dr. Amnon Raz-Krakotzkin (Beer Sheva) for his helpful comments; to Professor Avraham Shapira (Tel Aviv) for his assistance in preparing the Hebrew version of this book; to Professor Günter Stemberger (Vienna), for graciously including this volume in his series *Studia Judaica*, and for his sagacious comments on the manuscript; and to Dr. Albrecht Döhnert and the Walter de Gruyter Verlag editorial team for their collaboration, which made the preparation of this English version an enjoyable project.

Last but not least, I am highly indebted and deeply grateful to my doctoral supervisors, Professors Paul Mendes-Flohr (Jerusalem / Chicago) and Zohar Shavit (Tel Aviv), without whom this book would not have come to fruition.

Tel Aviv, September 2010

Ran HaCohen

Contents

Preface	v
Introduction	1
Part One	
Biblical Criticism in the Society for Jewish Culture and Science	29
1 Christian Biblical Criticism at the Start of the Nineteenth Century	31
2 The Society for Jewish Culture and Science	40
3 Jost and Biblical Criticism	49
Part Two	
Biblical Criticism in the Second Third of the Nineteenth Century .	73
4 The Conservative Turn in German Academia	75
5 <i>Wissenschaft des Judentum's</i> Departure from Biblical Criticism ..	78
6 Steinheim versus Vatke	86
Part Three	
The Graf-Wellhausen Era	115
7 Biblical Criticism in the Final Third of the Century	117
8 Meeting Again: Popper versus Dozy	135
9 The Attitude of the Various Jewish Streams	
Toward Biblical Criticism	152
10 The Graf-Wellhausen Hypothesis in Reformist Dress:	
Sigmund Maybaum	199
Conclusion	217
Bibliography	225
Index of Names	247

Introduction

Higher Criticism – Higher Anti-Semitism.

Solomon Schechter, 1903¹

The biblical criticism of Protestant theology
is the best antidote against the hatred of Jews.

Hermann Cohen, 1907²

During the nineteenth century, higher biblical criticism (*Höhere Bibelkritik*) flourished in German universities. An academic discipline centered around the biblical text, it was concerned primarily with the manner and date of its composition; consequently it also dealt with the religion and history of the ancient Israelites. Toward the end of the century the discipline achieved impressive revolutionary progress, at the heart of which was an overarching historiographical revision of the history of Israelite religion and the timeline of biblical composition. This revisionist historiography stood in sharp contrast to the historical account that was rooted in the Bible itself and which had become the traditional understanding in both Judaism and Christianity. Gradually and intermittently developed over the course of the century, the new historiography was consolidated and refined toward the century's end, becoming the dominant paradigm in the field of biblical scholarship and breaking beyond the bounds of German academia. A significant number of its methods and conclusions are accepted by biblical scholars to this day.

The field of biblical criticism did not develop in a vacuum. While in its early days it allowed room for a Jewish scholar such as Spinoza (1632–1677), as a whole it was a project of Christian Europe. Starting as early as Jerome's Vulgate in the early fifth century, there was a long tradition of Christian interest in the Hebrew Scripture; during the Mid-

1 Schechter 1903, 35.

2 Cohen 1907, 167.

dle Ages, the Christian study of Judaism was utilized for polemic or missionary purposes. The Renaissance during the twelfth century saw the birth of Hebraist discourse, which searched for the “Hebrew truth” (*hebraica veritas*) and focused on the study of the Hebrew language and rabbinic literature; one of its outcomes was that Christian scholars were freed from their reliance on (Hebrew-reading) Jewish intermediaries in order to read the Jewish holy texts. Eventually Hebraist discourse would combine with the European Orientalist discourse, which dealt with “Oriental” peoples in general.³

Modern biblical criticism was primarily a Protestant undertaking. One of the central factors that had led to its formation was the Lutheran Reformation’s call during the sixteenth century to return to Scripture as the sole source of religious authority (*sola scriptura*). The scholars involved in biblical criticism were for the most part theologically trained and worked within the framework of Protestant theological faculties. Thus in the nineteenth century, when German Jews would be required to contend with biblical criticism, they would face a discourse concerned with Jews, their history, and their religion which nonetheless had developed and still functioned entirely without Jewish participation – an alien, sometimes antagonistic territory. The first efforts of German-Jewish intellectuals to enter this territory – scholars of the *Wissenschaft des Judentums* (“science of Judaism”), who were committed to the ethos of modern scientific thought and simultaneously wished to lead a Jewish life in the modern world – were part of the Jews’ “return” to the Bible, or of the Jewish “Bible Revolution,” to use Shavit’s term.⁴ These efforts form the subject of this book.

*

Academic discourse – at least within the humanities and social sciences – takes place in the context of what Foucault called power/knowledge. Biblical criticism is a clear example. The study by German Protestant theologians of the texts, religion, history, and customs of the ancient Israelites formed – whether explicitly or implicitly, directly or indirectly – part of the discussion on the nature and place of Jews in German (and European) society, regardless of whether they were perceived as following in the path of the ancient Israelites or as having deviated from it. The discourse regarding the Jews’ ancient roots was part of the

3 For a broader context on Hebraism, Orientalism, and Jewish Studies see: Raz-Krakotzkin 1999. On Jews’ place in the Orientalist discourse see: Kalmar and Penslar 2005.

4 Shavit and Eran 2007, 17ff.

constitution (and self-constitution) of Judaism and the Jews in modern Germany.

Recently it has been proposed that the Christian discourse about Jews, as well as the Jewish discourse it prompted, be examined through the prism of postcolonial theory that was developed toward the end of the twentieth century.⁵ According to Robert Young, postcolonial studies are not a theory in the strict sense, but rather “a set of conceptual resources.”⁶ They derive from critical insights acquired during the colonial period and from a perspective that focuses on colonial power relations between, on the one hand, a ruling society perceiving itself as Western, modern, rational, enlightened, and so forth – and, on the other hand, the societies under its rule, perceived as „other,” as non-Western (Oriental, Semitic, Indian, black, etc.) and non-modern (backward, irrational, primitive, ancient, and extra-historical, and, at times, indigenous, authentic, exotic, and the like).

A postcolonial perspective would view the Jews as a sort of colony within Germany. Indeed, Germany entered the nineteenth century as a fragmented collection of political entities with no effective central government; as a result it lacked colonies, in contrast to England and other European powers. It was for this reason that Edward Said’s *Orientalism*⁷ focused on English and French rather than German cultural discourse. Nonetheless, there was no lack of Orientalist discourse in Germany, and there too colonialist ambitions and fantasies were widespread.⁸ The German discourse about Jews, with its Hebraist and Orientalist roots, can be described as a colonialist discourse. Incidentally, the word “colony” (*Kolonie*) served, in late eighteenth- and early nineteenth-century German, to designate the Jewish communities in Germany: David Friedländer – one of the leaders of the Berlin Jewry in the generation after Mendelssohn – wrote an article titled “On Reform of the Jewish Colonies in the Prussian States.”⁹ Throughout the nineteenth century Jews in Germany were perceived as “foreign elements” whose roots lay in the “Orient.” Thus, for example, a Berlin lawyer wrote in 1803 that while cultured Jews could discuss Goethe, Schiller, and Schlegel to their hearts’ content, they would nonetheless remain a “foreign, Oriental race” (*orientalisches Fremdlingsvolk*). Two generations later, in the late 1870s, the distinguished German historian Heinrich von Treitschke

5 Heschel 1998; Heschel 1999; and following her Wiese 2002.

6 Young 2001, 64. For an incisive critique of the postcolonial discourse and its political functions see: Shohat 1992.

7 Said 1978.

8 Zantop 1997; Manual 1992.

9 Friedländer 1793.

(1834–1896) would point to Jews prominent in German culture, such as the composer Felix Mendelssohn Bartholdy (1809–1847) or the politician Gabriel Riesser (1806–1863), as “uncorrupted Orientals” (*unverfälschte Orientalen*).¹⁰ The description of Jews as “Semites” was also intended to emphasize their “Oriental” origins.¹¹

Indeed, not only in the colonies were various population groups required to relinquish their identity or change it into an identity imposed upon them from the motherland: this was also the fate of numerous minority groups who were exposed to the pressures of nationalism within European countries. For example, during the nineteenth century the inhabitants of Brittany – European, Christian, and white – were required to adopt a foreign language, culture, and way of life which were perceived as “French” and imposed upon them by the central authorities in Paris. What differentiates citizens of the national periphery from colonial subjects? They are characterized differently: in the national case the criterion is geographic or economic, in contrast to ethnic or “racial” distinctions in the colonial case. And while citizens are perceived as adaptable – as able and even required to adopt the national culture in exchange for relinquishing parts of their old identity – colonial subjects are in turn classified as aliens, and their entry into the ruling group is neither possible nor even desirable from the latter’s perspective. Thus, „[colonial subjects like] Slovaks were to be Magyarized, Indians Anglicized, and Koreans Japanified, but they would not be permitted to join pilgrimages which would allow them to administer Magyars, Englishmen or Japanese.”¹²

Whom did German Jews most resemble – peripheral subjects who could be absorbed into the ruling culture, or colonial subjects alien by nature and unadaptable? The answer depends on whom you ask. Jews were accustomed to see themselves unambiguously as citizens – distinct, perhaps, in terms of religion, but deserving of fully equal rights in Germany; as such they differed from the typical colonial subject and better resembled minority groups in the nation-state. In contrast, many – though not all – non-Jewish Germans (and eventually Zionist Jews as well) saw Jews as a foreign element that could not be assimilated into the German environment; Jews were excluded primarily on the basis of their ethnicity, and as such more closely resembled colonial subjects.

10 Mendes-Flohr 1991a, 81.

11 For greater detail: Olender 1992.

12 Anderson 1991, 110. VVV.

Hence the justification for seeing Jews as a sort of “internal colony”¹³ and for applying several postcolonial concepts to the discourse about and of German Jews. In this context, the suggestion of the Orientalist and prominent biblical scholar Michaelis at the end of the eighteenth century – namely, to concentrate Germany’s Jews in the Caribbean “Sugar Islands”¹⁴ that they might lead productive lives there and be of use to the motherland – is instructive: here Jews, members of the “internal colony,” were to be transformed into “regular” colonial subjects similar to those ruled over by the other European powers during that period.

The postcolonial discourse makes frequent use of Hegel’s well-known master–slave dialectic, which was derived from the unique human need to win recognition from one’s fellows. In translating the master–slave relationship from the individual level to the societal, the claim is that colonialists and the colonized were also, in certain respects, each captive to the other. This dialectic is also expressed in what Homi Bhabha and others call “hybridity” or “third-space” (“in-betweenness”), which refers primarily to the obfuscation of the boundaries between rulers and ruled and to the “pollution” of each side by elements of the other. For our purposes, what is important is the insight that slaves are imprisoned within their masters’ discourse about them, although it is actually the slaves who (even before the masters) tend to also develop a “dual consciousness” which enables them to see both from the rulers’ dominant perspective and from that of the margins under their rule. When Jewish scholars in Germany engaged in biblical research, they had two target audiences: Jewish and non-Jewish readers alike. Even though addressing non-Jewish readers generally remained in the realm of desire, as only rarely did Christian academics take the trouble to explore the biblical research carried out by Jews,¹⁵ this dual target was far more conspicuous in Germany – where German was the language of the *Wissenschaft des Judentums* – than it was in Eastern Europe, where Hebrew and Yiddish made it possible to write for an entirely Jewish audience.¹⁶ It should be clarified that confessional segregation – within scholarship that aimed to be supra-confessional – was also enforced in nineteenth-century Germany in an institutionalized man-

13 On “internal colonialism,” a concept that was developed in reference to African-Americans in the United States, Celts in Britain, Israeli Arabs (Zureik 1979), and other groups, see: Hechter 1975.

14 Hess 1998.

15 On the unidirectional nature of academic communication between Jews and Christians see: Wiese 1999.

16 See: Volkov 2006, 285.

ner: teaching and research positions in the German academia, and even admission into departments of theology, were closed to Jews, even to those few who saw themselves purely as scholars.

Colonial subjects are required to forge their identity against the backdrop of the challenge posed by power relations. This external tension is internalized and necessitates a reconstruction of the cultural and social components of the subjects' identity as well as their categorization as "self" as opposed to "other" – as elements worth preserving or which require modification. With respect to the contemporary lives of German Jews, the reorganization of identity became what Shulamit Volkov calls "inventing tradition."¹⁷ In the case at hand, the axis of power relations in the present intersected with the axis of the past, of history. The past entered the picture in two ways: first, as the "affliction of heritage" – the past shaping the future. As much as the field of biblical study espoused scientific, modern, and unprejudiced discourse free of dogmas and confessional biases, it never disengaged from its Christian, Protestant roots (nor from its ties to the Protestant establishment). Nor was the Jewish engagement with biblical criticism able to ignore the confessional roots (and biases) of Christian criticism; and in any case it was not able, and did not desire, to disengage entirely from its own Jewish roots. Here the Jews adopted the founding principles of the dominant discourse, at times with the explicit intention of "purifying" Judaism of its "Oriental" foundations.¹⁸

Secondly, the depiction of the past was itself a battlefield. Now the present shaped the past. The scholars of the *Wissenschaft des Judentums*, who were pioneers of modern Jewish historiography, wished to create a picture of a Jewish past – a collective Jewish memory – that would suit their aspirations and needs in the present, both in their external struggles within German (and European) society and, internally, in the struggles taking place among Jews about the development of modern Judaism. While Christian biblical scholars proposed a revision of the traditional picture of the past, several Jewish scholars attempted to counter it with a reformed picture of the past – a revision to the revision. They did not wish to revert to the traditional image of the past (which remained the domain of conservative orthodoxy, Jewish and Christian alike), but instead to reform both the traditional image and what was perceived as anti-Jewish bias in the modern-critical picture. Here, in a manner typical of colonial power struggles, this grappling with and about the past, against the background of contemporary pow-

17 Volkov 1991, 276-286, following the well-known Hobsbawm and Ranger 1983.

18 Mendes-Flohr 1991a, 82.

er struggles, led to the creation of counter-histories¹⁹ – historical narratives that rest on some of the assertions of the competing narrative, yet weave them into a fabric entirely different in nature.

The early-nineteenth-century epigraphs by Hermann Cohen and Solomon Schechter that open this chapter – each so antithetical to the other – delineate the Jewish approach to non-Jewish biblical criticism: sweeping acceptance on the one hand and thorough rejection on the other. But between these two poles exist the more interesting attempts to form hybrids – composite narratives that would enable Jews to adopt the principles and even many of the concrete conclusions of biblical criticism, thus taking part in the academic world and modern intellectual discourse; and at the same time to reform it in a manner that would allow them to “rescue” their image of the past and their own self-conception as Jews of their time.

*

Counter-histories, which nineteenth-century Jews created in contrast to – yet within the framework of – biblical criticism, are not merely a characteristic phenomenon in power relations of the colonial type but also a continuation of the traditional Jewish-Christian polemic, which has been accompanied by competing narratives and counter-narratives throughout the centuries of its existence.

The Jewish-Christian polemics revolved around several central ideas:²⁰ chosenness (the identity of the Chosen People, the true Israel), redemption or salvation (was it individual or national, did it belong to the past or the future; the messianic nature of Jesus), deity (its nature, the divinity of Jesus), and more. These ideas were inextricably intertwined, to the extent that any debate about one effectively touched upon all. These ties also stemmed from the analogical and metaphorical nature of medieval discourse, which tended to perceive a given pheno-

19 Concerning the term “counter-history” in the Jewish context see: Funkenstein 1991.

20 The literature dealing with the subjects addressed here – the history of biblical criticism, the Christian discourse on Judaism, and the Jewish-Christian polemic – is immense; to thoroughly address even a small part of it is impossible. HBOT, a joint project of Jewish and Christian scholars, attempts to provide an outline of the history of biblical exegesis, including a classified bibliography. It also includes a brief introductory chapter (and bibliography) about the place of the Hebrew Bible in this polemic (Stemberger 2000). The following, non-exhaustive survey is based primarily on comprehensive historical works such as: Rogerson 1988; Cohen 1999; Kraus 1991; Krauss 1995; TRE XIII, 40-126. More specific sources will be noted as relevant. See also an anthology of essential articles regarding the Jewish-Christian polemic: Cohen 1991.

menon as a reflection of others in a manner that organized the world into long chains of resemblance and reflection: "The universe was folded in upon itself: the earth echoing the sky, faces seeing themselves reflected in the stars [...]." ²¹ The following eclectic summary will mention only a few general principles and motifs; each appears in one guise or another in modern biblical criticism

The Hebrew Bible (Tanakh) – or the „Old Testament“ in Christian terminology – has stood at the center of these polemics since its inception. In a dialectical fashion, the Bible has served both as a common foundation for Jews and Christians and as a point of controversy. On one hand, the polemic was founded on the common ground of both religions – chiefly their belief in the Bible as divine revelation. This being the case, some of the qualities attributed to God were transferred, metonymically, to the text itself, which was perceived by both religions as holy, as absolute truth, and as an unquestioned source of legitimacy. On the other hand, the polemic was fueled by the differences between the Jewish concept of "written Torah" (*torah she-bi-khtav*) and the Christian "Old Testament." The differences were primarily hermeneutical and exegetical, not just textual. Once it was agreed that the Bible contained divine truth, entirely disparate answers were proposed to the question of what that truth might be and how to extract it from Scripture. This polemic in turn fostered hermeneutical differences, as each side attempted not only to refute the exegetical conclusions of the rival religion but also to differentiate itself from that rival and its methods. ²²

For Christianity, the central challenge posed by the "Old Testament" was the question of its relationship to the "New Testament" – where "testament" was used both in the original sense of a covenant forged between believers and God, and in the derived meaning of the two canonical texts known as "Testaments." A central term in this context was "Law" – a theological term that runs like a crimson thread throughout the Jewish-Christian polemic. "Law" – *Gesetz* in German, *lex* in Latin – was the translation of the Greek term *nomos*; the latter, since the Hellenistic period, was the prevailing if problematic translation of the Hebrew term *torah*, understood in Judaism as comprising the Commandments, a way of life, and rules of behavior both valid and binding.

In the Gospels, Jesus himself claims that his intention is not to abolish the Law but to fulfill it; ²³ his criticism of the Jews' approach to the

21 In the words of Michel Foucault (1974, 17), who describes the importance of various forms of similarity in the medieval worldview.

22 See: Grossman 1986; Funkenstein 1990, 14ff.; Kamin 1991, 31-61.

23 Matthew 5:17; compare Luke 16:16ff.

Commandments stems from a desire for spiritualization but at times actually leads him to a radicalization of the Law: "You have heard that it was said to those of ancient times, 'You shall not murder' [...] But I say to you that if you are angry with a brother or sister, you will be liable to judgement"; "Again, you have heard that it was said to those of ancient times, 'You shall not swear falsely' [...] But I say to you, Do not swear at all [...]".²⁴ But this perception was rejected by Christianity as early as Paul. Christianity regarded the Old Testament as sacred, and the Pentateuch as the Word of God transmitted to Moses (in Jesus' words: "For Moses said, 'Honour your father and your mother'").²⁵ But the Old Testament laws were perceived as transitory, abolished with the advent of Jesus and superseded by belief in him – by the "Gospel." Beginning with Paul, the problem the Old Testament posed to Christianity was primarily that of the Law, and Judaism (in both biblical and later times) was identified with the Old Testament and characterized as the "Religion of the Law" (*Gesetzesreligion*) in contrast to the Christian "Religion of the Gospel." The controversy about the "Law" served as a constant and central motif in the anti-Jewish polemic;²⁶ in grappling with the "Law," Christianity was in fact grappling with Judaism. Eventually Spinoza too would adopt the image of Judaism as the "religion of the Law"; it would consequently make its way to Kantian philosophy and beyond and play a central role in the German perception of Judaism (and of the other great "Oriental" religion, Islam, which was similarly perceived as a "religion of Law").²⁷

Paul himself is presented in the New Testament as an observant Jew.²⁸ He praises the Law of the Old Testament²⁹ and does not dispute that Jesus followed it. Yet Jesus, according to Paul, placed the Law in a new perspective that required Christians to obey it out of love and faith and not through literal observance of the commandments. In addressing the Gentiles Paul transfers the condition for redemption from the Law to faith, relying on exegesis of a verse relating to Abraham (Gene-

24 Matthew 5:21-22, 33-34.

25 Mark 7:10.

26 Ruether 1974, 149-165.

27 Mendes-Flohr 1991b, 342, including a bibliography on the subject.

28 Paul's approach to the Law is a complex and much-studied issue; there is no intention to address it here thoroughly. For a brief review see: Hoheisel 1978, 179ff., and for more detailed coverage see the collection of articles in: Dunn 1996; several of the authors included therein have published books on the subject (P.T. Tomson, H. Räisänen). The subject also occupied German Jews at the start of the twentieth century, following the polemic Harnack provoked regarding the "essence of Judaism." See for example: Löwy 1903 (and compare Urbach 1975, 818 N. 42).

29 Romans 7:12ff.

sis 15:6), “And he believed the Lord; and the Lord reckoned it to him as righteousness” – meaning that Abraham was justified because of his faith rather than his actions. The Law was indeed sacred, because it paved the way to redemption;³⁰ but the Bible (that is, the Law) was ultimately only “our disciplinarian until Christ came, so that we might be justified by faith. But now that faith has come, we are no longer subject to a disciplinarian [...]”³¹

The inherent problems created by the acceptance of the Old Testament as a sacred text, alongside the rejection of the rules of behavior it commanded, generated a central hermeneutical difference between Judaism and Christianity which was expressed in the distinction between literal and non-literal interpretation of the biblical text. Indeed, the diverse exegetical literature of both religions makes use of both forms of interpretation. The four kinds of meaning (*quattuor sensus scripturae*) in the Christian tradition since the fifth century (literal, allegorical, tropological, and anagogical) were echoed in the medieval Jewish tradition (from the fourteenth century onward) in its four methods of biblical exegesis – *peshat*, *remez*, *derash*, and *sod*.³² Nonetheless Christianity, at least until the Reformation, was characterized by a notable preference for non-literal exegesis, in particular allegory and tropology. This is also related to the distinction between historical exegesis (considered literal) and Christological exegesis (perceived as non-literal) – that is, between the understanding of biblical passages as describing historical events and their interpretation as prophecies concerning the Messiah (in particular, Jesus). Christianity tended toward the Christological interpretation, while Judaism drew away from it.

The preference for non-literal exegesis is evident as early as in the New Testament. Following a typological approach, Jesus was identified as Melchizedek; the author of Hebrews thus presented him as a member of the priesthood.³³ Abraham’s two sons – Isaac, born to Sarah in fulfillment of a divine promise, and Ishmael, born to Hagar – are seen as allegorical: of birth in a state of liberty as opposed to bondage; of spiritual as opposed to corporeal birth; of an heir as opposed to an expelled son who is not an heir; of the New Testament versus the Old; of heavenly versus earthly Jerusalem; in short, of Christianity versus Judaism.³⁴ Thus in Paul we find the roots of a chain of dichotomies des-

30 Romans 7:7ff.

31 Galatians 3:24-25.

32 Funkenstein 1990, 45ff.; Beinert 1991, 242.

33 Hebrews 5:6: “as he says also in another place, ‘You are a priest for ever, according to the order of Melchizedek,’” following Psalms 110:4.

34 Galatians 4:21ff.

tined to serve Christianity in its approach to Judaism for many centuries. Judaism is identified with the Law, which is perceived as a curse, with the Old Testament (in both senses of the word), with bondage, and with the flesh; Christianity, in contrast, is identified with faith perceived as redemption, with the New Testament, with liberty, and with the spirit.³⁵ Christianity, the spiritual faith, is inscribed upon the heart ("Circumcise, then, the foreskin of your heart"³⁶); Judaism, corporeal, is inscribed upon the body (physical circumcision). Jews were accused of blindness, of misreading the Bible through "a veil [laid] over their minds,"³⁷ and of narrow-minded observance of the Law, in contrast to Christian belief: "but Israel, who did strive for the righteousness that is based on the law, did not succeed in fulfilling that law. Why not? Because they did not strive for it on the basis of faith, but as if it were based on works."³⁸ The written word to which Jews were devoted signified death: Jesus "has made us competent to be ministers of a new covenant, not of letter but of spirit; for the letter kills, but the Spirit gives life."³⁹ All this we find already in Paul, regarding whose crucial influence on the Jews' image in the Christian perception Jeremy Cohen remarks:

The teaching of Paul [...] defined the basic parameters for subsequent Christian reflection on the Jews [...] On one hand, Paul affirmed the veracity of Hebrew Scripture and the importance of its revelation to Israel in God's plan for the redemption of humankind. [...] On the other hand, Paul construed the continued observance of the Law of the Torah as an exercise in futility: It could not earn a person redemption; it served, rather, to accentuate the sinful depths into which postlapsarian human nature had fallen [...].⁴⁰

The negative attitude toward the Law sharpened with the Church fathers. In an epistle (written ca. 130 CE),⁴¹ Barnabas annulled the laws concerning sacrifice and holy days on the basis of, among other things, a verse in Jeremiah 7:22: "For on the day that I brought your ancestors out of the land of Egypt, I did not speak to them or command them concerning burnt-offerings and sacrifices"; this verse was destined for a long career in modern biblical criticism. Judaism was accused of misunderstanding and adhering to an overly literal reading of Scripture, while Barnabas interpreted them through a non-literal "spiritualiza-

35 Galatians 3.

36 Deuteronomy 10:16.

37 2 Corinthians 3:15.

38 Romans 9:31ff.

39 2 Corinthians 3:6.

40 Cohen 1999, 392-393.

41 Rogerson 1988, 14ff.

tion”: for example, it was a mistake to think that the Bible’s dietary prohibitions applied to actual foods; their true significance concerned the sort of people with whom one should not associate.

In the second century, Christian thinkers dealt not only with Roman pagans and Jews but also with Marcion of Sinope, who rejected the Law entirely along with the Old Testament and “counterfeit” sections of the New Testament. Marcion did not object to the Old Testament or its laws *per se* – they were valid for the people to whom they had been given – but he rejected any tie between the God of the Hebrew Bible and the Christian God, and denied the presence of Christological elements in the Old Testament.⁴² Marcionism was declared heresy; to refute him, apologists such as Tertullian and Irenaeus emphasized Christological elements in the Old Testament. From this point on, the sanctity of the Old Testament could no longer be doubted within Christianity; only in the modern era would anyone dare to attack it again, whether to strike at Christianity or at Judaism.

Justin Martyr (100–165), in his *Dialogue with Trypho, a Jew*,⁴³ concluded from the biographical accounts of the generations from Abraham to Moses’ mother that one need not adhere to Mosaic Law in order to be saved. The Law was imposed on the Jews because of their sins. It was not a symbol of chosenness but, on the contrary, a punishment and a mark of disgrace: the sacrifices and commandments were required because of the Jews’ intransigence. Jesus, on the other hand, abolished them and replaced them with the New Testament promised by Jeremiah (31:31–32). Christianity itself was the observance of the Law; it was a state of continuous Sabbath and a return to the era before the Law. Here was a notable attempt to create a Christological continuity that passed over the “Jewish Law” and to find presages of Christianity as early as the Patriarchs.⁴⁴ The Church fathers developed a concept of religion that predated Moses and functioned as a Christian pre-history; Judaism, the Mosaic faith, thus became a strictly provisional religion, limited in time, place (the land of Israel), and applicability (to the Jews alone). According to Eusebius of Caesarea (ca. 263 – ca. 339), the Patriarchs were not Jews but rather sons of a universal stock who were virtuous without requiring the Law; this was the true spiritual and universal religion, to which Christianity was a return and a continuation. Because of his religion Abraham had been justified even before circumcision; the Jews descended from the circumcised Abraham,

42 About Marcion, see: Denzler and Andresen 1997, 388f. for an overview and bibliography.

43 See: Hirshman 1996, 31ff.

44 Ruether 1974, 150f.

while the Christians descended from Abraham before his circumcision. The more ancient religion was identified primarily with the Ten Commandments, which were perceived as eternal and universal, in contrast to the inferior, particularistic, and ephemeral Mosaic Law. This approach, which established the roots of Christianity in an earlier form of Judaism and thus passed over later Judaism, also has parallels in modern biblical criticism.

Between Jerome and Augustine – the leading figures of the Church in the early fifth century – an argument erupted regarding the interpretation of Galatians 2:11ff., in which the Jewish Peter refuses to dine with non-Jewish Christians and is then reprimanded by Paul. Jerome, following a longstanding exegetical tradition, claimed that Peter had only pretended to observe the Commandments and that Paul had only pretended to reprimand him. Augustine, on the other hand, maintained that Peter must not be ascribed such hypocrisy and declared that he did indeed observe the Jewish dietary commandments. Still, apart from this disagreement consensus reigned: both Jerome and Augustine agreed that the commandments in question no longer applied to Christians. Only to the Ten Commandments did Augustine bestow the status of a divine Law equally applicable to Christians. Augustine divided salvation history into four stages: “before the Law” (since Adam), “under the Law” (since Moses), “under grace” (since Jesus), and “in full peace” (the End of Days).

In his hermeneutics Augustine differentiated between the literal meaning of the Hebrew Bible, which he identified with the historical truth of the events of the past, and the allegorical or prophetic meaning, which alluded to events in the future. Jeremy Cohen has demonstrated⁴⁵ that during Augustine’s final decades, his movement toward literal interpretation went hand-in-hand with the moderation of his hostile attitude toward the Jews and with their assignation to a “safe place” – inferior but viable – within the sacred history he developed. The Augustinian philosophy of history assigned Jews a vital role which would accompany them in the following centuries. In their subjugation to the Christians and their dispersion in the Diaspora they constituted a living testimony to the truth of Christianity and to the punishment inflicted upon them for rejecting and crucifying Jesus; typologically, the Jews represented Cain. The fact that they still observed the Law was part of their testimony to the triumph of Christianity; from here too

45 See: Cohen 1999, 19ff. for a thorough analysis of Augustine’s attitude toward the Jews, in its historical development and hermeneutical contexts.

emerged the perception of Jews as an archaic, frozen entity whose historical development concluded with the arrival of Jesus.

Augustine's approach remained generally intact throughout the subsequent eight centuries and began to undergo real change only in the twelfth century. During the Renaissance in twelfth-century Europe, the tendency toward rationalism grew stronger, contacts between Christian and Jewish scholars increased, and Christian interest grew in the "Hebrew truth" and in Jewish exegesis of the Hebrew Bible.⁴⁶ This environment also saw increasing Christian recognition of the importance of literal exegesis in understanding the Bible; it would exist alongside – not in place of – non-literal exegeses, which were developed by commentators (e.g. Hugh of Saint Victor) who simultaneously dealt in literal exegesis. Thus, at the end of the thirteenth century, William of Auvergne defended the literal interpretation of the Law. He vigorously rebuffed Christian allegations of contradictions and inconsistencies in biblical Law: the Law had been given by God, and even if hidden meanings lay latent within it there was no reason to reject its literal meaning and its thorough suitability for the Israelites of the time, despite the fact that with the advent of Jesus it was no longer relevant.

Since Thomas Aquinas in the thirteenth century, literal exegesis has attained a renewed status in Christianity: it is derived from the intentions of the human author of Scripture while spiritual exegesis derives from the intentions of God. From the verse "I gave them statutes that were not good and ordinances by which they could not live" (Ezekiel 20:25), Aquinas concluded that while the Israelites could not "live in the Law" in the sense that it could not deliver them from their sins, the Law was nonetheless good because it created obstacles to sin; the Law was not perfect in an absolute sense, but it was entirely suited for its time and place. The new Law was the grace of the Holy Spirit, granted through belief in Jesus; the relationship between the old Law and the new was like that between the imperfect and perfect. Aquinas – who contended among other things with the purposes of the Commandments as presented in Maimonides' *Guide for the Perplexed* – also distinguished (like many before him) between three types of laws in the Old Testament: moral laws, ritual laws, and judicial laws. Moral law (with the Ten Commandments at its core) was a divine expansion of natural law and thus applied to all men, although it was liable to historical change and required interpretation. The two other types of law were particular derivatives of natural law: the ritual laws were intended to

46 Much has been written about this period of encounters between Jews and Christians, including those that involved the Bible. See an overview and bibliography in: Talmage 1982; Kamin 1991, 141-155.

bring the Israelites to the worship of God while the judicial laws were meant to regulate their public lives. Being derivatives, their domain was not universal.

However, the Christian interest in the “Hebrew truth” and literal exegesis came at a price: when it expanded to later Jewish sources, in particular the Talmud, a new Christian accusation emerged that the Jews had distorted the biblical Law and that many of their practices had no basis in the Hebrew Bible. On the one hand, the interest in the “Hebrew truth” strengthened the relationship between Jews and the Old Testament in the eyes of Christianity; on the other hand, the recognition of the centrality Jews accorded to the oral law was translated into the claim that the Jews had breached the role that Augustine had given them as living witnesses to the old Law, had altered the Law, and had interpreted it incorrectly. Jeremy Cohen, among others, traces the decline of tolerance toward the Jews to this growing distance from the Augustinian paradigm.

*

During the Humanistic period, Hebraism – the study of the Hebrew language and Jewish texts in universities – expanded and became institutionalized; it also stood in the background of Luther’s Reformation.⁴⁷ The Reformation, which to a great degree shaped modern German culture, greatly amplified the importance of Scripture.⁴⁸ The Catholic Church placed the authority of tradition side by side with the authority of Scripture; Luther, in contrast, rejected the authority of the former and declared: *sola scriptura*. The Bible must be read by everyone, not because it was open to individual interpretation but because it was, in fact, the most lucid text of all. Luther continued the preference for literal exegesis. He was greatly influenced by the work of Jacobus Faber Stapulensis (ca. 1455–1536), who had broken free entirely from the need for non-literal exegesis. In his commentary on the Psalms, Faber distinguished between two types of literal exegesis: literal-historical, which interpreted passages in their historical context, and literal-prophetic, which interpreted them as they related to Jesus. Since Christological exegesis was also considered literal, non-literal exegesis became superfluous. Following in his footsteps, Luther abandoned the four traditional forms of exegesis and focused on literal exegesis – both historical and prophetic.

⁴⁷ In addition to the above, see: Kraeling 1969.

⁴⁸ On the status of the Bible and its varied usage in Germany since the Reformation, see: Sheehan 2005.

The move toward literal exegesis was accompanied by a growing closeness to the Law itself in the more radical streams of the Reformation. Luther objected to this trend and balanced it with a counter-movement toward Marcionism. He placed faith at the center of Christianity and minimized the status of the Law in favor of the Gospel and faith.⁴⁹ Luther uncoupled faith from action: the inner self, the soul, which was inherently free, did not require action and could be saved only by faith.⁵⁰ The Law had been given to the Jews and to them alone: only they had been taken by God out of Egypt (hence God alludes to the fact in the first Commandment); the Gentiles had not. The Ten Commandments were natural law and their importance lay in the fact that they were engraved upon the heart of every man; they required no revelation. The Old Testament included commandments that should be observed – but in a purely voluntary and temporary fashion and not out of duty. Luther regarded the Law in general – even the Ten Commandments – as no more than the law of a certain people at a certain time, not unlike the Germanic constitutions in the Middle Ages.

Luther's approach to the Law was even more negative than that of the Roman Catholic Church and certainly of more radically reformed churches. The Catholic Church continued to employ the formal term "the new Law of Jesus," coined by Tertullian in the third century, in place of "Mosaic Law." At the Council of Trent (1545–1563) the Church once again declared, in opposition to Luther, that Jesus was not only a messenger but also a law-giver; it rejected the claim that the Gospel itself sufficed for salvation and that deeds were not required. The reformed churches, on the other hand, effectively adopted the biblical "moral law" as binding and even attempted in several countries to implement certain civil laws of the Old Testament in practice. Indeed, later developments in the Lutheran Church (from Melanchthon onward) somewhat softened Luther's negative attitude toward the Law, and with a certain similarity to the reformed churches Lutherans tended to adopt the "moral law" (the Ten Commandments) in part as well.

Luther subordinated Scripture to his own concept of salvation. It was not the (killing) letter of the Law that mattered, but rather the spirit of Scripture. This principle enabled him to favor certain parts of the New Testament over others; he particularly emphasized Paul's epistles and perceived the Reformation as a return to Pauline Christianity. The emphasis on the New Testament, the prominence attached to faith, and

49 During the twentieth century, the Swiss theologian Karl Barth (1961) would continue the process and emphasize even further the superiority of the Gospel over the Law.

50 Luther 1520, 29f.

the use of the “divine spirit” as a criterion for preferring certain parts of Scripture and rejecting others allowed Luther to approach the Old Testament with unusual liberty. He regarded it as the history of faith; the protagonists of the Old Testament, who lived their lives in faith and in hope of the coming of the Messiah, resembled the Christians of his day who lived in faith and in hope of his return. This approach – based on historical rather than allegorical interpretation – was how Christians should read the Old Testament. Within the liberal framework he granted himself, Luther downgraded several canonized books which were not included in the Jewish Bible, emphasizing their apocryphal status. He also believed that the final chapters of the Pentateuch were not written by Moses, and that in writing the Book of Genesis Moses had made use of earlier texts. Thus Luther, without being a “biblical critic,” anticipated approaches that would resurface some two hundred years after his time.

*

The situation was far different within Judaism, which sanctified only the twenty-four books of the “written Torah.” “If one were to seek a single term that might summon up the very essence of Judaism it would certainly be *torah*, a concept whose centrality has endured from the biblical period to the present day.”⁵¹ In the Hebrew Bible, the meaning of the term *torah* was similar to that of Law, ritual, commandment (cf. “the ritual of the burnt-offering,” Leviticus 6:8; “the law for the nazirites,” Numbers 6:13), collection of laws (“the law of your God,” Hosea 4:6) and in particular the laws collected in the Book of Deuteronomy (“this law,” Deuteronomy 1:5 and more). During the Hellenistic period the term comprehended the corpus of commandments, the teachings of the prophets, and the wisdom of the Sages; it particularly emphasized the Pentateuch in its entirety, and not necessarily the sections pertaining to commandments and laws. In post-biblical Judaism there was a duality in the concept of “Torah”: on the one hand, the Torah was frequently presented in a narrow sense, i.e. the Pentateuch; the other books of the Bible were merely addenda to the Torah, and the oral law its exegesis. On the other hand, against non-conformist interpretation, the meaning of the term “Torah” gradually expanded until it applied to the entire Hebrew Bible and ultimately – as early as the talmudic period – to the oral law as well. Thus, when a Gentile asked

51 Kugel 1987, 995. In addition, this brief overview is based chiefly on Soloveitchik and Rubasheff 1925; Urbach 1975, 286 ff.; Sandler 1968; Greenberg 1982.

Hillel "How many Torahs do you have?" the latter responded: "Two, one in writing, one memorized."⁵² At the same time, the Torah was also increasingly attributed to a divine source. Even though the Hebrew Bible was divided into three sections in descending order of sanctity (and in the chronological order in which they were canonized), the Torah in its broader sense, which included the oral law, was nonetheless perceived in certain contexts as the product of divine inspiration.⁵³ At the same time, "despite all the expansion of the meaning of the term 'Torah' underwent in Rabbinic literature, the precept remained its basic element; without commandments there could be no Torah."⁵⁴

The trend in Judaism to see the Bible as existing outside of history and time may have been a reaction to Christianity's historicization and temporal restriction of the Law, as we have seen above. The perception already existed among the Sages that all prophecies had been given at Mount Sinai, their revelation merely postponed for later periods. Furthermore, not only "did all the Prophets receive their prophecy from Sinai, but also the Sages that have arisen in every generation received their respective teaching from Sinai."⁵⁵ The Bible was perceived as existent since the Creation and even before it;⁵⁶ Moses had simply delivered it to the Israelites.

With respect to Jewish hermeneutics, it should be noted that its basis in the Midrashic literature is very difficult to characterize. The commentators' interest in hermeneutics for its own sake was limited, and in practice the exegetical approaches they adopted were rife with contradictions; as Edward Breuer observes, "the most intriguing and historically salient feature of this interpretative mode is the lingering elusiveness of its applied hermeneutic [...] the precise interpretative discipline that fueled this literature is not at all apparent."⁵⁷ For our purposes it is important to note that Christian and Jewish exegesis had a reciprocal relationship throughout the greater part of their histories; through their reactions, Urbach identifies a Christian influence even as early as the Sages.⁵⁸ The talmudic expression "One who exposes aspects of the Torah [not in accord with the law]" – and who thus has no portion in the world to come – was, according to Urbach, directed against

52 Babylonian Talmud, *Shabbat* 31A.

53 For a comprehensive discussion, see: Harris 1995.

54 Urbach 1975, 315.

55 *Shemot Rabbah* 28:6 and more; quoted in Urbach 1975, 304.

56 Babylonian Talmud, *Pesahim* 54A.

57 Breuer 1996, 47.

58 Urbach 1975, 288ff., 295ff. More recently and in a wider context see: Yuval 2006.