

Book Review

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Sergey Dolgopolski (2009) *What is Talmud? The Art of Disagreement*. New York: Fordham University Press, 333 p.

Book reviews rarely begin with a personal confession, and for good reason. What other genre of academic rhetoric seems less inviting to the bare cry of *mea culpa*? Yet in Sergey Dolgopolski's *What is Talmud? The Art of Disagreement* (Fordham University Press, 2009), rhetoric is more than a mere technique. On the contrary, one of this work's contributions is to expose the moral and anthropological implications of highly abstract expressive modes. So in this spirit, *mea culpa*: I did not understand this book the first time that I read it. *Mea maxima culpa*: I displaced my lack onto the author, blaming him for unclear argumentation or poor editing. Indeed, a careless reader should be warned that Dolgopolski's uncompromising terminology, relentless exposition, abstract idiom, and verbose endnotes make this temptation hard to resist. But just as my review is an unorthodox venue for confession, perhaps it will allow unexpected salvation for just such a reader. Perhaps, having witnessed my confession, her 'first' reading can unfold as if she has already misunderstood this remarkable book. And perhaps her misunderstanding will give way to a new understanding better-suited to this book, which – by juxtaposing rhetorical, philosophical, and Talmudic models of discourse – challenges us to see ourselves, not as unique speakers of discrete claims, but as participants in an open, imperfectly remembered dialogue. Rather than as a linear series of propositions and conclusions identified with individuals, its 'art of Talmud' emerges as a performance of distinct yet coexisting positions, refutations, referents, and truth-criteria. In a series of carefully qualified pirouettes, Dolgopolski choreographs a dance of disagreement enfolded in the apophatic metaphysics of a 'radical past' where none of us is present but all of us can become.

Most generally, Dolgopolski's project is to show Talmud's distinctiveness as an intellectual practice, in contrast to both philosophy and rhetoric. He argues that Talmud is animated by 'disagreement' as thinking's means and end, whereas both philosophy and rhetoric (despite their own conflicts) are governed by the norm of agreement. Beyond the topics of any particular rabbinic argument, Dolgopolski identifies Talmudic thinking with its artful production of 'disagreement' in and for itself. Talmud challenges philosophical semantics, for instance, by making a rabbinic sage's utterance signify, not through its referential or other functions, but only insofar as it refutes another prior or possible utterance. Thus, Talmudic 'meaning' appears as a fluid mediation between statements of finite interlocutors, rather than as a result of correspondence to a definition or referent. To analyze Talmud's unique semantics, its reader finds herself in the paradoxical role of mediating the finite positions of early sages and their later generations across gaps of time, space, and perspective that Talmud itself frames as irresolvable. As a series of formalizations of this interpretive paradox, Talmudic arguments are clearly not susceptible to 'logic' in the sense of reduction to shared premises. Nor, however, is Talmud just polemical or rhetorical; it does not invoke arguments solely in order to please or instruct. Rather, it draws thinking into a groundless

circle which leads neither to hegemonic agreement nor to pluralist ‘agreement to disagree’. Still more remarkably, this circle’s lack of foundation does not undermine its role as a horizon of becoming. Refusing such fundamental Western agendas as representation and the opposition of being to non-being, Talmud’s unique mode of expression preserves a sense that persists, irrespective of what the Talmud actually says. This sense, figured as the past of implicit rabbinic traditions that might or must have been, thwarts even the rabbinic sages’ strenuous efforts, in their own readings, to recover or restore their past to presence. By thus refusing to identify itself with any particular generation, the Talmudic past radicalizes its readers’ anthropological status. Can we perform a hermeneutics and a metaphysics, it asks, while refusing to occupy any firm ontological ground? By circulating as an elusive telos of each re-reading, this radical past demands its readers to incorporate tradition – to do, and to be, the impossible. Such imperatives may help to account for rabbinic Judaism’s persistent theological force, even though it is performed with post-scriptural texts in largely disenchanted institutions.

Theology aside, to clarify the scholarly stakes of Dolgopolski’s transdisciplinary project, we may reduce them, as he does in his introduction, to an ongoing debate about what Talmud is. Most importantly, his use of the term ‘Talmud’, without a definite article, distinguishes him from scholars who restrict their object to a printed book: the Talmud. Naturally these readers have different ways of using the book. Philologists stress manuscript variants and reconstruction of earlier sources. Philosophical anthropologists like Hermann Cohen plumb the Talmud for origins of Jewish culture, while philosophers like Lévinas project their own polemics onto its pages. Despite such differences, these readers often take for granted one assumption that Dolgopolski’s ‘Talmud’ does not. They assume that the essence of Talmud as ‘work’ – historically finite and ontologically closed – is equivalent to its potential as ‘text’ – a generative model for strategic intellectual practice. One might think, then, that another set of readers from whom Dolgopolski distances himself would be more relevant: observant Jews who use the Talmud to derive religious law (halakhah). These readers, however, are using such extensively rationalized methods of study, and are so reliant upon late authorities and legal corpora, that one can question if they are ‘reading’ the Talmud, any more than a physicist is ‘seeing’ a quantum particle. Nor do they explicitly focus their attention on what Kuhn might call their ‘normal science’ of halakhah. The paradigms of this formidable science do change but, just as Kuhn argued, they do so incrementally, under the pressure of external factors. So, while not necessarily defining the Talmud as a book, these traditional students of the Talmud, like secular readers, still treat it as a work: a ‘rational code’ or ‘harmonic whole’. It is left to Dolgopolski to take up Talmud as a text or as a ‘verb’, marking a singular, refractory rationality.

To enter this mode of thought, Dolgopolski draws most of his evidence for ‘Talmud’ from a methodological treatise by the Castilian rabbi Itzhak Canpanton (d. 1463), *The Ways of the Talmud*. As Canpanton’s book has not been translated, Dolgopolski analyzes it in meticulous detail in his penultimate chapter. In his analysis, Dolgopolski draws on the work of the influential Talmud scholar Daniel Boyarin. In this 1989 book (*Sephardi Speculation*, in Hebrew), Boyarin argues for greater emphasis on cultural interaction between Canpanton and non-Jewish sources. Especially prior to the expulsion of the Jews in 1492, he shows, Muslim, Christian, and Jewish communities in Iberia used Aristotelian logic as something of a *lingua franca*. They even mobilized one another’s versions of it in building their respective systems. Boyarin shows striking parallels between, for instance, Thomist logic and the Talmudic method of Canpanton’s grand-student Shmuel Ibn Sid. Dolgopolski deepens Boyarin’s analysis of Canpanton’s interpretive apparatus while distancing it from this particular intercultural context, which at times leads him to disagree with Boyarin on Canpanton’s theory of ‘Talmud’ as such. In this theorization, Dolgopolski rereads Canpanton in relation to a vast swathe of problematics shared by poststructuralist philosophers, especially Deleuze and Derrida (but also earlier figures like Brentano, Heidegger, Spinoza, Maimonides, and

Aristotle). It is difficult to find a common denominator for these problematics, other than that they aid Dolgopolski in differentiating Talmud from philosophy and rhetoric. In general, an attempt to go beyond Heideggerian ontology motivates both Deleuze and Derrida. For Dolgopolski, their dis/engagement with Heidegger helps to reveal Talmud's relation to philosophy.

In his first long chapter, Dolgopolski contends that Heidegger's critique of the concepts of 'culture' and the 'human,' in favor of a fundamental ontology (*Dasein*), is the proper point of departure for understanding Talmud as opposed to the Talmud. This is not to say that Heidegger has the last word (which would be disturbing in light of what we now know about his exclusion of the Jews from *Dasein*) but rather that he revealed a new way to locate Talmud within the West's imaginary. By separating the merely ontic realm of beings from the ontological question of Being's forgetting and disclosure, Heidegger broke apart the organic bond between people, book, and culture that is still assumed in most mainstream anthropologies of the Talmud (both modern and traditional, both secular and religious). In its place, he allowed later thinkers to develop the possibility that a language itself could have metaphysical as well as ontological status, or even that it could have one without the other.

Intensifying Heidegger's challenge to the identity conferred by the concept of culture, in his famous concept of *différance*, Derrida questioned the agreement of beings with Being, signs with meanings, or books with their readers. In *différance*, writing and orality imply one another, resulting in an inherent 'temporization' of the sign with meaningful effects that cannot be deduced from a text's explicit chronological structure. In arguments between rabbinic sages, Dolgopolski shows, Derrida's insight is encompassed and exceeded by Canpanton's notion of 'exaction' (*diyyuk*). In exaction, as in *différance*, it is a temporization between rabbinic sages' positions that signifies, rather than agreement. But whereas *différance* retains the structuralist model of producing meaning from a play of differences, Canpanton's *diyyuk* locates meaning in the experience of the Talmudic reader or student. As distinct from Talmud's plain sense (*peshat*), the method of *diyyuk* reads 'through' statements of rabbinic sages in order to clarify unspoken positions that they refute. Then, by participating in the elaborate spiritual and intellectual process of 'speculation' (*iyyun*), Canpanton's student recollects and inhabits the perspective from which these explicated disagreements are valid. Thus the student's presence is indispensable to the Talmudic performance of meaning, even if it is merely a transitory stage. So it is not enough to say, with Derrida, that aspects of the sign itself do not agree. The reader is obliged to re-enact their disagreement in order to recover its truth. Her recovery or recollection, however, is not an agreement, but only a moment in Talmud's perpetual negative dialectic. Sooner or later it will yield another disagreement in relation to neglected or forgotten statements.

In Deleuze's concept of 'expression,' Dolgopolski's Talmud finds an even better philosophical antagonist than Derrida's *différance*. Expression, like Talmud, refuses the transition from content to form on which Cartesian representation is premised. The 'form' of an argument between sages is not a vehicle for its 'content,' with the ontological hierarchy that this entails. Rather, as Deleuze says, there is a form of the content, which is not the form of its expression. To use Dolgopolski's example, in the screen expression of a novel, the novel does not just provide content (characters, plot, location, etc.). The novel also gives its own form to this content (dramatic, tragic, comic, etc.). Some of this 'novelistic' form must appear in the film for the film to be a recognizable expression of the novel. Beyond a certain point, we say that we do not 'see' it as an interpretation or representation of the novel at all. For Deleuze, this is exactly the point where Heidegger's forgetting of being occurs. The form of expression envelops the form of its content, setting in motion a pure becoming that cannot get back to Being. So one would think that 'expression' fits Talmud perfectly: the student is not identified with the sages, nor are they identified with the past that they inherit. However, Dolgopolski argues, Talmud is more radical than Deleuze

in its departure from Heideggerean ontology, because Talmud never locates any of its pasts in a present (historical, phenomenological, or otherwise). Talmud is performed in the temporality of its tradition, not in the modernist temporality of history. In Talmudic tradition, the statements of sages and the understanding of the student are both synchronic and radically past, both contemporaneous and atemporal. Although the principal goal of Talmud is to explain statements from the Mishnah, the Mishnah is never exhausted. No interpretation can glimpse more of it than a hidden refutation of a vanished position; a feint, a joke, a mistake. This paradoxical method may explain how Talmud can accord the Mishnah quasi-sacrosanct status without undermining its own scholastic paradigm.

It is customary to conclude an otherwise glowing review with criticisms, which I would be happy to do, if I felt that I understood the book well enough to have earned the right. Unfortunately, I did not. Just like the Mishnah in its Talmudic reading, Dolgopolski's book is most exacting when it is simplest, whereas other arguments only seem obscure because they are so full of counterpositions that they do not bother to state. A rough estimation of its overall value could run as follows: if only a fraction of its proposals are viable, it has updated the relation between Talmud and philosophy to include an essential portion of twentieth-century thought. If all or most of it is true, the study of the Talmud (as well as Talmud) should never be the same. Somewhere between these extremes lies one nagging question. Why is Dolgopolski so dismissive of philology, except in Nietzsche's highly motivated version? To be sure, some philologists are myopically historicist, but this does not mean that the spirit of philology itself, as theorized most recently by Pollock, Cerquiglini, Gumbrecht and others, is irrelevant for his inquiry into Talmud. Fortunately, for this would-be refutation, Dolgopolski already has an answer: an even better book, *The Open Past: Subjectivity and Remembering in the Talmud* (Fordham University Press, 2013), a kind of dazzling bricolage with the philosophical foundations of modern Talmud scholarship.

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