

THE WEXNER FOUNDATION

# POWER

PRIVILEGE STATUS & INFLUENCE IN NORTH AMERICA

WEXNER GRADUATE FELLOWSHIP  
2016 SUMMER INSTITUTE

BEIT MIDRASH SOURCEBOOK

## SOURCESHEETS

- Power: Might, Vulnerability, Impotence, Powerlessness?  
Zohar Atkins, Class 28
- “No One Man Should Have All That Power”  
Zoe Jick, Class 27
- A Talmudic Witch Hunt: Trans-ing the Boundaries of Gender, Magic & Power  
Gilah Kletenik, Class 26
- Tears in Heaven – Authority and the Role of the “Bat Kol”  
Ari Lamm, Class 27
- Empowerment through Messiah?  
Rachel Marder, Class 27

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## WELCOME

Welcome to the Summer Institute Beit Midrash! We have modeled this program after a traditional Beit Midrash. To that end, you are presented in this packet with texts which you will prepare in pairs, in *chevruta*. In a traditional beit midrash, this preparation is called "*seder*." The people around you will be studying all different texts and having all sorts of conversations. Your learning and discussion may, in some ways, be influenced by the conversation going on around you. In other words, this is program will be loud, and that's part of the experience. After you study with your partner, there will be classes, "*shiurim*," taught by the compilers of these sourcesheets.

We are starting out the Institute with this session because we believe that the Torah has a lot to contribute to our conversation. We hope that these texts and the conversations that they engender will shape your thinking about issues of POWER: PRIVILEGE, STATUS, AND INFLUENCE IN NORTH AMERICA.

## INSTRUCTIONS

1. Please find your *chevruta* (study partner).
2. With your *chevruta*, choose one sourcesheet to study. Just one - though we've given you all of them so that you can study the rest of them at another time.
3. Using the guiding questions on the sourcesheet, study the sources provided. Do not feel the need to rush through the sources; deep investigation of a text is always preferable to just a quick read.
4. When prompted by Beit Midrash coordinator, please move to your respective *shiur* location, where a class will be taught on the sources you chose to study.

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## CHEVRUTA PAIRINGS

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## Power: Might, Vulnerability, Impotence, Powerlessness?

Source Sheet by Zohar Atkins

### Psalms 29

(1) A psalm of David. Ascribe to the LORD, O divine beings, ascribe to the LORD glory and strength. (2) Ascribe to the LORD the glory of His name; bow down to the LORD, majestic in holiness. (3) The voice of the LORD is over the waters; the God of glory thunders, the LORD, over the mighty waters. (4) The voice of the LORD is power; the voice of the LORD is majesty; (5) the voice of the LORD breaks cedars; the LORD shatters the cedars of Lebanon. (6) He makes Lebanon skip like a calf, Sirion, like a young wild ox. (7) The voice of the LORD kindles flames of fire; (8) the voice of the LORD convulses the wilderness; the LORD convulses the wilderness of Kadesh; (9) the voice of the LORD causes hinds to calve, and strips forests bare; while in His temple all say “Glory!” (10) The LORD sat enthroned at the Flood; the LORD sits enthroned, king forever. (11) May the LORD grant strength to His people; may the LORD bestow on His people wellbeing.

### Ecclesiastes 8:8

(8) No man has authority over the lifebreath—to hold back the lifebreath; there is no authority over the day of death. There is no mustering out from that war; wickedness is powerless to save its owner.

### תהילים כ"ט

(א) מִזְמוֹר לְדָוִד הַבְּנוֹת לַיהוָה אֱלֹהִים הַבְּנוֹת לַיהוָה כְּבוֹד וְעֹז: (ב) הַבְּנוֹת לַיהוָה כְּבוֹד שְׁמֹה הַשְׁתַּחֲוֶנּוּ לַיהוָה בְּהַדְרַת־קִדְשׁ: (ג) קוֹל הַיְהוָה עַל־הַמַּיִם אֶל־הַכְּבוֹד הַרְעִים הַיְהוָה עַל־מַיִם רַבִּים: (ד) קוֹל־הַיְהוָה בַּפֶּתַח קוֹל הַיְהוָה בְּהַדְרַת־קוֹל הַיְהוָה שֹׁבֵר אַרְזִים וַיִּשְׁבֶּר הַיְהוָה אֶת־אַרְזֵי הַלְּבָנוֹן: (ו) וַיִּרְקִיעֶם כְּמו־עֵגֶל לְבָנוֹן וַיִּשְׁרֹץ כְּמו־בּוֹרְאֵי־מַיִם: (ז) קוֹל־הַיְהוָה חֹצֵב לַהֲבֹת־אֵשׁ: (ח) קוֹל הַיְהוָה יִתִּיל מִדְּבַר יִתִּיל הַיְהוָה מִדְּבַר קִדְשׁ: (ט) קוֹל הַיְהוָה יַחֲלֵל אֵילֹת־וַיִּחַשְׁפוּ יַעֲרֹת וּבְהִיכְלוֹ כָּלֹ אִמֵּר כְּבוֹד: (י) הַיְהוָה לִמְבוּל יִשָּׁב וַיִּשָּׁב הַיְהוָה מִלְּוַיִּלְעוֹקֵם: (יא) הַיְהוָה עֹז לְעַמּוֹ יִתֵּן הַיְהוָה יְבָרֵךְ אֶת־עַמּוֹ בְּשָׁלוֹם:

### קהלת ח':ח'

(ח) אֵין אָדָם שְׁלִיט בְּרוּחַ לְכַלּוֹא אֶת־הָרוּחַ וְאֵין שְׁלִטוֹן בְּיוֹם הַמָּוֶת וְאֵין מְשַׁלַּחַת בְּמַלְחָמָה וְלֹא־יִמְלֹט רֶשַׁע אֶת־בְּעַלְיוֹ:

**Job 37:23****אִיּוֹב לִיּוֹז כִּי־אֵל**

(23) Shaddai—we cannot attain to Him;  
He is great in power and justice And  
abundant in righteousness; He does not  
torment.

(כג) אֵל־מְצַדִּיק וְיָדָיו־מִשְׁפָּט  
וְרַב־צְדָקָה לֹא יַעֲנֶה:

***Power, by Adrienne Rich***

Living in the earth-depositis of our history

Today a backhoe divulged out of a crumbling flank of earth  
one bottle amber perfect a hundred-year-old  
cure for fever or melancholy a tonic  
for living on this earth in the winters of this climate

Today I was reading about Marie Curie:  
she must have known she suffered from radiation sickness  
her body bombarded for years by the element  
she had purified

It seems she denied to the end  
the source of the cataracts on her eyes  
the cracked and suppurating skin of her finger-ends  
till she could no longer hold a test-tube or a pencil

She died a famous woman denying  
her wounds  
denying  
her wounds came from the same source as her power

"My idea is that every specific body strives to become master over all space and to extend its force (its will to power) and to thrust back all that resists its extension. But it continually encounters similar efforts on the part of other bodies and ends by coming to an arrangement ("union") with those of them that are sufficiently related to it: thus they then conspire together for power. And the process goes on."

Nietzsche, "Will to Power," Para. 636

"Powerlessness is not impotence that, lacking power and having to do without it, still remains related precisely to power." Heidegger, GA 66:188

"Don't play what's there, play what's not there."

Miles Davis



## “No One Man Should Have All That Power” - Wexner Summer Institute 2016

Zoe Jick

### Deuteronomy 17:14-20

<sup>14</sup> When, after you have entered the land that the Lord your God has assigned to you, and taken possession of it and settled in it, and you say, "I will set a king over me, as do all the nations about me," <sup>15</sup> then set a king over yourself, one chosen by the Lord your God. Be sure to set as king over yourself one of your own people; you must not set a foreigner over you, one who is not your kinsman. <sup>16</sup> Moreover, he shall not keep many horses or send people back to Egypt to add to his horses, since the Lord has warned you, "You must not go back that way again." <sup>17</sup> And he shall not have many wives, lest his heart go astray; nor shall he amass silver and gold to excess. <sup>18</sup> When he is seated on his royal throne, he shall have a copy of this Torah written for him on a scroll by the levitical priests. <sup>19</sup> Let it remain with him and let him read in it all his life, so that he may learn to revere the Lord his God, to observe faithfully every word of this Torah as well as these laws. <sup>20</sup> Thus he will not act haughtily toward his fellows or deviate from the commandment to the right or to the left, to the end that he and his descendants may reign long in the midst of Israel.

יד כִּי-תָבֵא אֶל-הָאָרֶץ, אֲשֶׁר ה' אֱלֹהֶיךָ נָתַן לְךָ, וַיִּרְשָׁתָהּ, וַיִּשְׁבְּתָהּ בָּהּ; וְאָמַרְתָּ, אֲשִׁימָה עָלַי מֶלֶךְ, כְּכָל-הַגּוֹיִם, אֲשֶׁר סָבִיבֵתִי. טו שׁוֹם תִּשִּׂים עָלֶיךָ מֶלֶךְ, אֲשֶׁר יִבְחַר ה' אֱלֹהֶיךָ בּוֹ: מִקְרֵב אֲחִיךָ, תִּשִּׂים עָלֶיךָ מֶלֶךְ--לֹא תִבְחַל לְתֵת עָלֶיךָ אִישׁ נָכְרִי, אֲשֶׁר לֹא-אֲחִיךָ הוּא. טז רַק, לֹא-יִרְבֶּה-לוֹ סוּסִים, וְלֹא-יִשְׁיֵב אֶת-הָעַמִּים מִצְרַיִמָה, לְמַעַן הִרְבֹּת סוּסִים; וְהוּא, אָמַר לְכֶם, לֹא תִסְפּוּן לָשׁוּב בְּדֶרֶךְ הַנְּהָ, עוֹד. יז וְלֹא יִרְבֶּה-לוֹ נָשִׁים, וְלֹא יָסוּר לְבָבוֹ; וְכֶסֶף וְזָהָב, לֹא יִרְבֶּה-לוֹ מְאֹד. יח וְהָיָה כְּשִׁבְתּוֹ עַל כִּסֵּא מְמַלְכָתוֹ--וְכָתַב לוֹ אֶת-מִשְׁנֵה הַתּוֹרָה הַזֹּאת, עַל-סֵפֶר, מִלְפָּנָי, הַכֹּהֲנִים הַלְוִיִּים. יט וְהָיָה עִמּוֹ, וְקָרָא בּוֹ כָּל-יְמֵי חַיָּיו--לְמַעַן יִלְמַד, לְיִרְאָה אֶת-ה' אֱלֹהָיו, לְשֹׁמֵר אֶת-כָּל-דְּבָרֵי הַתּוֹרָה הַזֹּאת וְאֶת-הַחֻקִּים הָאֵלֶּה, לַעֲשׂוֹתָם. כ כִּלְבַּלְתִּי רוּם-לְכָבוֹ מֵאֲחֵיו, וְלִבְלַתִּי סוּר מִן-הַמִּצְוָה יְמִין וּשְׂמֹאל--לְמַעַן יֵאָרִיךְ יְמֵים עַל-מְמַלְכָתוֹ הוּא וּבְנָיו, בְּקִרְבֵי יִשְׂרָאֵל.

#### Questions for discussion:

1. What are the parameters that Deuteronomy specifies for choosing a king? Why might these be the guidelines?
2. What are the limits on this king's power and authority? What seems to be the concern that Deuteronomy warns against?
3. What is Deuteronomy's recommended recourse for preventing bad kingship? Why?

#### Rabbi Nissim of Gerondi (1320-1376), Drashot HaRan #11

*The Ran was a Catalanian commentator from the 14th century. This is his commentary on the above passage from Deuteronomy.*

The appointment of judges is to judge the laws according to the Torah alone, for these are perfectly just, as it says "And they will judge the people with just laws." Whereas the appointment of the King is to complete the needs of the social order, and address the needs of the hour. But since the power of the King is great, and he is not bound by the laws of the Torah as the judge is, if he is not full of fear of God, he will come to personal aggrandizement and not help the community. This is why he was commanded to have a copy of the Torah with him always... For example, when there is a killer on the loose, but there have been no witnesses or warning, his objective should not be to show his power over the people, and that he can handle this. Instead his intention should be to do something in order that the commandment "Thou shalt not kill" be preserved and not broken any more.

ונמצא שמינוי השופטים היה לשפוט משפטי התורה בלבד, שהם צודקים בעצמם, כמו שאמר ושפטו את העם משפט צדק, ומינוי המלך היה להשלים תיקון סדר המדינה, וכל מה שהיה מצטרך לצורך השעה. ולפי שכח המלך גדול, איננו משועבד למשפטי התורה כמו השופט, ואם לא יהיה שלם ביראת אלקיו, יבוא להפריז על המידות יותר במה שיתחייב לתיקון הכלל, צוהו שיהיה ספר תורה עמו תמיד... כאשר נאמר על דרך משל, כשיהיה הורג [רוצה] נפש בלא עדים והתראה, לא תהיה כונתו להראות ממשלתו לעם שהוא שליט על זה, אבל יכוין בעשותו זה, כדי שמצות לא תרצח תקיים יותר, ולא יפרצו עליה.

#### Questions for discussion:

1. How does the Ran add to the Deuteronomic description of the king's role in society?
2. How does the Ran's commentary expand and restrict the king's power?

## 1 Kings, Chapter 10:26-11:5

<sup>26</sup> Solomon assembled chariots and horses. He had 1,400 chariots and 12,000 horses, which he stationed in the chariot towns and with the king in Jerusalem. <sup>27</sup> The king made silver as plentiful in Jerusalem as stones, and cedars as plentiful as sycamores in the Shephelah. <sup>28</sup> Solomon's horses were procured from Egypt and Kue. The king's dealers would buy them from Kue at a fixed price. <sup>29</sup> A chariot imported from Egypt cost 600 shekels of silver, and a horse 150; these in turn were exported by them to all the kings of the Hittites and the kings of the Arameans. <sup>1</sup> King Solomon loved many foreign women in addition to Pharaoh's daughter - Moabite, Ammonite, Edomite, Phoenician, and Hittite women, <sup>2</sup> from the nations of which the Lord had said to the Israelites, "None of you shall join them and none of them shall join you, lest they turn your heart away to follow their gods." Such women Solomon clung to and loved. <sup>3</sup> He had seven hundred royal wives and three hundred concubines; and his wives turned his heart away. <sup>4</sup> In his old age, his wives turned away Solomon's heart after other gods, and he was not devoted to the Lord his God with his whole heart, as was the heart of David, his father. <sup>5</sup> Solomon followed Ashtoret, the goddess of the Phoenicians, and Milcom, the abomination of the Ammonites.

כו וַיֵּאסֹף שְׁלֹמֹה, רָכַב וּפָרָשִׁים, וַיְהִי-לוֹ אֵלֶיךָ וְאַרְבַּע-מֵאוֹת רָכָב, וּשְׁנַיִם-עָשָׂר אֲלֶפֶי פָּרָשִׁים; וַיִּנְחֵם בְּעָרֵי הַרְרָב, וְעַם-הַמְּלָךְ בִּירוּשָׁלַם. כז וַיִּתֵּן הַמְּלָךְ אֶת-הַכֶּסֶף בִּירוּשָׁלַם, כְּאֲבָנִים; וְאֵת הָאֲרָזִים, נָתַן כְּשֵׁקִים אֲשֶׁר-בְּשֵׁפֶלָה--לָרֶב. כח וּמוֹצָא הַסּוּסִים אֲשֶׁר לְשֹׁלֹמֹה, מִמִּצְרַיִם; וּמִקְנֵה--סוּדָרִי הַמְּלָךְ, יָקָחוּ מִקְנֵה בְּמִחָר. כט וַתַּעֲלֶה וַתֵּצֵא מִרְכָּבָה מִמִּצְרַיִם, בְּשֵׁשׁ מֵאוֹת קָסָף, וְסוּס, בְּחֲמִשִּׁים וּמֵאָה; וְכֵן לְכָל-מַלְכֵי הַחֲתִים, וְלַמְּלִי אֲרָם--בְּיָדָם יֵצְאוּ. א וְהַמְּלָךְ שְׁלֹמֹה, אָהַב נָשִׁים נְכָרִיּוֹת רַבּוֹת--וְאֶת-בֵּת-פְּרֹעָה: מוֹאָבִיּוֹת עַמֻּנִיּוֹת אֲדַמִּיּוֹת, צִדְדֻנִּית חֲתִית. ב מִן-הַגּוֹיִם, אֲשֶׁר אָמַר-ה' אֶל-בְּנֵי יִשְׂרָאֵל לֵאמֹר: תִּבְאוּ בָהֶם וְהֵם לֹא-יָבֹאוּ בָכֶם, אֲכֵן יִטּוּ אֶת-לִבְבְּכֶם, אֲחֵרֵי אֱלֹהֵיהֶם--בָּהֶם דָּבַק שְׁלֹמֹה, לְאַהֲבָה. ג וַיְהִי-לוֹ נָשִׁים, שָׂרוֹת שְׁבַע מֵאוֹת, וּפְלִגְשִׁים, שְׁלֹשׁ מֵאוֹת; וַיִּטּוּ נַפְשׁוֹ, אֶת-לְבוֹ. ד וַיְהִי, לְעַת זְקֻנַת שְׁלֹמֹה, נַפְשׁוֹ הִטּוּ אֶת-לְבָבוֹ, אֲחֵרֵי אֱלֹהִים אֲחֵרִים; וְלֹא-הָיָה לְבָבוֹ שָׁלֵם עִם-ה' אֱלֹקָיו, כִּלְכַבֵּב דָּוִד אָבִיו. ה וַיֵּלֶךְ שְׁלֹמֹה--אֲחֵרֵי עֲשֵׂתָרָה, אֱלֹהֵי צִדְדִים; וְאֲחֵרֵי מִלְכָם, שֶׁקֶץ עַמֻּנִי

### Questions for discussion:

1. How is this text about King Solomon in conversation with our previous text from Deuteronomy?
2. How can we understand King Solomon's actions? Can we justify them?

## B. Talmud Sanhedrin 21b

*Tractate Sanhedrin of the Babylonian Talmud often deals with issues of criminal law and punishments. Here, a quote from Rabbi Isaac reframes our text from 1 Kings to make an argument about the often ambiguous reasons for Biblical law.*

Rabbi Isaac said: Why were the reasons of the Biblical laws not revealed? — Because in two verses reasons were revealed, and they caused the greatest in the world to fall. It is written: "And he shall not have many wives..." (Deut. 17) But Solomon said, 'I will have many wives yet I will not go astray.' But then we read, "In his old age, his wives turned away Solomon's heart..." (1 Kings 11) And it is written: "He shall not keep many horses..." (Deut. 17) But Solomon said, 'I will keep many horses, but will I will not go back there.' Yet we read: "A chariot imported from Egypt cost 600 shekels of silver." (1 Kings 10)

ואמר ר' יצחק מפני מה לא נתגלו טעמי תורה שהרי שתי מקראות נתגלו טעמן נכשל בהן גדול העולם כתיב (דברים יז) לא ירבה לו נשים אמר שלמה אני ארבה ולא אסור וכתיב (מלכים א יא) ויהי לעת זקנת שלמה נשיו הטו את לבבו וכתיב לא ירבה לו סוסים ואמר שלמה אני ארבה ולא אשיב וכתיב (מלכים א יא) ותצא מרכבה ממצרים בשש וגו'

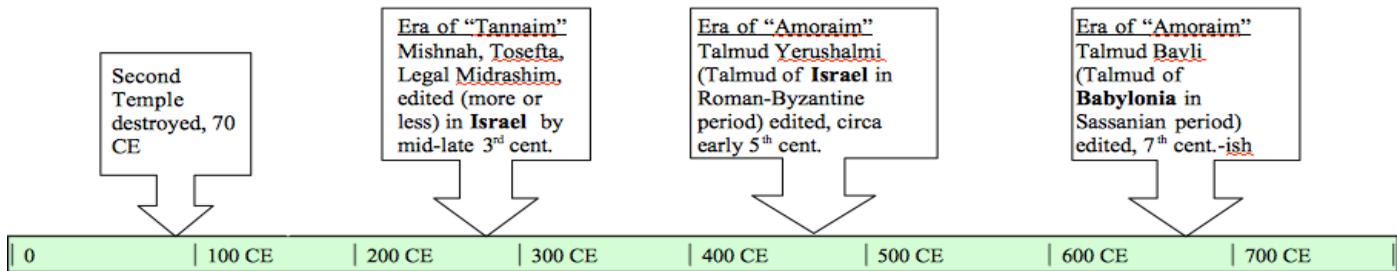
### Questions for Discussion:

1. How does this section of the Talmud put our two texts in conversation? Why?
2. What does this teaching indicate about the tendencies of kings and their relationship to power?
3. How does this argument change our understanding of Deuteronomy 17: 18-20?

# Tears in Heaven – Authority and the Role of the “Bat Kol”

Ari Lamm – Class 27

## Timeline of Rabbinic Literature



1. Kaufmann Kohler and Ludwig Blau, “Bat Kol,” *Jewish Encyclopedia* (1906) – Feel free to accept, reject or modify the following definition of “bat kol” based on your study today.

Bat Kol: A heavenly or divine voice which proclaims God's will or judgment, His deeds and His commandments to individuals or to a number of persons, to rulers, communities, and even to whole nations.

**Era of Tannaim** – \*\*\*Guiding Questions: 1) What is the definition “bat kol” in each of these Tannaitic texts? 2) How does the “bat kol” behave? What function(s) does it serve/not serve?

2. **Mishnah, Tractate Yevamot 16.6** – Context: This tractate, in part, asks how much evidence a court requires to certify remarriage by a woman whose first husband may or may not be alive, and who therefore may or may not still be married

<p>מעדיין לאור הנר ולאור הלבנה ומשיאין על פי בת קול. מעשה באחד שעמד על ראש ההר ואמ'. איש פלוני בן איש פלוני ממקום פלוני מת. והלכו ולא מצאו שם אדם והשיאו את אשתו</p>	<p>We admit testimony even by witnesses who only saw [evidence of the husband's death, and thus evidence that the first marriage is terminated] by the light of a candle, or by the light of the moon, and we certify the wife's remarriage even on account of a <i>bat kol</i>. An incident occurred in which someone stood atop a mountain and cried “So-and-so, son of so-and-so, from such-a-place is dead.” [Those who heard] went to investigate, but they found no one. And nonetheless they certified that person's wife's remarriage.</p>
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3. **Mekhilta of Rabbi Ishmael, Tractate Amalek 2** (one of the Legal Midrashim = rabbinic homiletical commentary mostly on the legal sections of the Pentateuch) – Context: The *midrash* claims that the Rechabites – a little-known family that appears in the Bible – had converted to Judaism. The *midrash* attempts to illustrate their successful conversion with the following story. [NB: “Sons of the water-drinkers” is a (probably non-pejorative) name for the Rechabites].

<p>מעשה באחד שאמ'. קרבן מבני שותה מים היום. ויצתה בת קול מבית קודשי הקדשים ואמרה. מי שקיבל קרבנותיה במדבר הוא יקבל את קרבנותיכם בשעה הזאת.</p>	<p>It happened once that one said [mockingly]:<sup>9</sup> “Today there is a sacrifice of the sons of the water-drinkers!” And a heavenly voice came forth from the Holy of Holies and called out: “He who received their offerings in the desert, He will also receive their offerings now.”</p>
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4. **Tosefta, Tractate Sotah 13.3** – Context: This text discusses what it asserts was the end of the era of Biblical prophecy

<p>משמתו נביאים הראשונים חגי זכריה ומלאכי פסקה רוח הקודש מישראל. ואע"פ-כן היו משמיעין להן על בת קול. מעשה שנתכנסו חכמים לעלות בית גוריה ביריחו ויצתה בת קול ואמרה להן. יש כן אדם ביניכם שראוי לרוח הקדש אלא שאין דורו זכיי לכך. נתנו עיניהם בהלל הזקן. וכשמת אמרו עליו. הא עניו הא חסיד תלמידו של עזרא</p>	<p>When the early [= Biblical era] prophets – Haggai, Zechariah and Malachi – died, the holy spirit ceased from Israel. However, they (He?) still communicated with them (the Jews? The world?) via <i>bat kol</i>. An incident occurred in which the sages gathered into the upper chamber of the house of Guriah in Jericho, and a <i>bat kol</i> went out and said to them: “There is a person among you who is suitable to receive the holy spirit [but will not] because the current generation is unworthy of [having a prophet].” [The sages] cast their eyes upon Hillel the Elder. When he died, they said of him: “Behold this humble and kind person, a disciple of Ezra” [Ezra, the Biblical character, was also a leader but not a prophet].</p>
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\*\*\*Concluding Questions: 1) What is the semantic range of “bat kol” in the Tannaitic period as a whole? 2) What is the literary/philosophical significance of the fact that “bat kol” can describe both divine, and non-divine phenomena?

**Era of Amoraim** – \*\*\*Guiding Questions: 1) Has the definition/function of the divine “*bat kol*” changed in between the Tannaitic period and the Amoraic period? How? 2) How would you compare the views of the Talmud Yerushalmi and Talmud Bavli on the function of the “*bat kol*”?

<u>Comparison between a passage in Tosefta, and a passage in Talmud Yerushalmi</u>	
Context: The most famous set of disputants from the Era of Tannaim are the students of Hillel and Shammai respectively (known as “the House of Hillel” and “the House of Shammai”). Their arguments span the gamut of rabbinic law. Over time, rabbinic Jews came exclusively to follow the rulings of the House of Hillel against those of the House of Shammai. Several rabbinic texts comment on this state of affairs. These are two of them.	
5a. Tosefta, Tractate Yevamot 1.13 (Tannaitic)	5b. Talmud Yerushalmi, Tractate Berakhot 1.3, 3b (Amoraic)
<p>לעולם הלכה כדברי בית הלל הרוצה להחמיר על עצמו לנהוג כדברי בית שמיי וכדברי בית הלל על זה נאמ' הכסיל בחשך ילך התופס קולי בית שמיי וקולי בית הלל רשע אלא אם כדברי בית שמיי כקוליהן וכחומריון אם כדברי בית הלל כקוליהן וכחומריון</p>	<p>כל הרוצה להחמיר על עצמו ולנהוג כחומרי בית שמי וכחומרי בית הלל על זה נאמ' "הכסיל בחושך הולך". כקולי אילו ואילו נקרא רשע. אלא אי כקולי וכחומרי דדין. אי כקולי וכחומרי דדין</p> <p>הדין דתימ' עד שלא יצאת בת קול. אבל משיצאת בת קול לעולם הלכה כדברי בית הלל. וכל העובר על דברי בית הלל חייב מיתה. תני, יצאת בת קול ואמרה. אילו [ואילון] דברי אלהים חיים אבל הל' כדברי בית הלל.</p>
<p>The law always follows the rulings of the House of Hillel</p> <p>About one who wishes to act according to both the <i>stringencies</i> of the House of Shammai <i>and</i> the House of Hillel, the verse says, “The fool walks in darkness” (Eccl. 2.14). [Conversely,] one who grabs the <i>leniencies</i> of both the House of Shammai <i>and</i> the House of Hillel is an evildoer. Rather, either follow both the leniencies and stringencies of [one or the other].</p>	<p>About anyone who wishes to act according to the <i>stringencies</i> of both the House of Shammai <i>and</i> the House of Hillel, the verse says, “The fool walks in darkness” (Eccl. 2.14). [Conversely, anyone who acts] according to the <i>leniencies</i> of both is called an evildoer. Rather, [act] according to both the leniencies and stringencies of either.</p> <p>This was said before the <i>bat kol</i> went out, but once the <i>bat kol</i> went out, the law always follows the rulings of the House of Hillel. And any who transgresses the rulings of the House of Hillel is worthy of death. It was taught: A <i>bat kol</i> went out and said, “These and these [i.e. the respective opinions of the houses of Shammai and Hillel] are the words of the Living God, but the law follows the House of Hillel.</p>
<p><b>6. Talmud Bavli, Tractate Bava Metzi'a 59b</b> – Context: The Babylonian Talmud here comments on a Mishnah that presents a dispute between Rabbi Eliezer (one of the “Tannaim”) and the rest of the Tannaitic sages. Disagreements like this (i.e. between individual sages and the rest of their colleagues) is standard throughout rabbinic literature. But here the Talmud chooses to present a legendary account about what happened in the <i>aftermath</i> of this particular dispute.</p>	
<p>תנא: באותו היום השיב רבי אליעזר כל תשובות שבעולם ולא קיבלו הימנו...חזר ואמר להם: אם הלכה כמותי - מן השמים יוכיחו. יצאתה בת קול ואמרה: מה לכם אצל רבי אליעזר שהלכה כמותו בכל מקום! עמד רבי יהושע על רגליו ואמר: לא בשמים היא. - מאי לא בשמים היא? - אמר רבי ירמיה: שכבר נתנה תורה מהר סיני, אין אנו משגיחין בבת קול, שכבר כתבת אחרי רבים להטת. - אשכחיה רבי נתן לאליהו, אמר ליה: מאי עביד קודשא בריך הוא בההיא שעתא? - אמר ליה: קא חייך ואמר נצחוני בני, נצחוני בני.</p>	<p>It was taught: on that day Rabbi Eliezer attempted to rebut his colleagues with all the rebuttals in the world, but they did not accept them from him... Finally he said to them: “If I am correct, let it be proven from Heaven!” A <i>bat kol</i> went out and said: “What have you against R. Eliezer whose legal opinions are always correct?” Thereupon Rabbi Joshua stood up on his feet and said, “It is not in heaven!” What does [this] mean? Rabbi Jeremiah said: “Since the Torah has already been given at Sinai, we do not listen to a <i>bat kol</i>; after all [the Torah says], 'Follow the majority.’” Rabbi Nathan encountered Elijah the prophet and asked him: “What did God do at that moment?” He replied: “He smiled and proclaimed, 'You have bested me, my children! You have bested me!’”</p>

\*\*\*Concluding Question: 1) How does the definition/function of “*bat kol*” evolve over the rabbinic period? 2) What can this tell us about how rabbinic Jewish tradition conceives of human and divine authority?

## EMPOWERMENT THROUGH MESSIAH?

1. Rabbi Yohanan said: When you see a generation ever dwindling, hope for him [the Messiah], as it is written, “And the afflicted people You will save” (2 Samuel 22:28). Rabbi Yohanan said: When you see a generation overwhelmed by many troubles as by a river, await him, as it is written, “When the enemy shall come in like a flood, the Spirit of the Lord shall lift up a standard against him” (Jeremiah 59:19), which is followed by, “And the Redeemer shall come to Zion” (Jeremiah 59:20). (Sanhedrin 98a)

אמר ר' יוחנן אם ראית דור שמתמעט והולך חכה לו שנאמר ואת עם עני תושיע וגו' (שמואל ב כב:כח) אמר רבי יוחנן  
אם ראית דור שצרות רבות באות עליו כנהר חכה לו נאמר כי יבא כנהר צר ורוח ה' נוססה בו (ישעיהו נט:יט) וסמך  
ליה ובא לציון וגואל (ירמיהו נט: כ) (סנהדרין צט.)

### a) What dilemma(s) is Rabbi Yohanan facing? How does he respond to it?

2. Rav Shmuel ben Nahmani said in the name of Rabbi Yonatan: Blasted be the bones of those who calculate the end. For they would say, since the predetermined time has arrived, and yet he has not come, he will never come. (Sanhedrin 97b)

אמר רבי שמואל בר נחמני אמר ר' יונתן תיפח עצמן של מחשבי קיצין שהיו אומרים כיוון שהגיע את הקץ ולא בא שוב  
אינו בא (סנהדרין צז:)

### b) How does Rav Shmuel ben Nahmani challenge Rabbi Yohanan's approach? Why does he caution against predicting when the end will come?

3. [Rabbi Yehoshua ben Levi] asked him [Elijah], ‘When will the Messiah come?’ ‘Go and ask him.’ ‘Where is he sitting?’ ‘At the entrance to the town.’ ‘And by what sign may I recognize him?’ ‘He is sitting among the poor lepers: All of them untie [them] all at once, and rebandage them together, whereas he unties and rebandages each separately, [before treating the next] thinking, should I be wanted, [it being time for my appearance as the Messiah] I must not be delayed [through having to bandage a number of sores].’ So [R. Yehoshua ben Levi] went to him and greeted him... ‘When will you come, Master?’ asked he, ‘Today.’ On his returning to Elijah, the latter enquired, ‘What did he say to you?’... ‘He spoke falsely to me,’ he rejoined, ‘stating that he would come today, but has not.’ He [Elijah] answered him, ‘This is what he said to you, (Psalms 95:7) ‘today, if you will hear his voice.’ (Sanhedrin 98a)

אמר ליה אימת אתי משיח אמר ליה זיל שייליה לדידיה והיכא יתיב אפיתחא דקרתא {דרומי} ומאי סימניה יתיב ביני  
עניי סובלי חלאים וכולן סרו ואסירי בחד זימנא איהו שרי חד ואסיר חד אמר דילמא מבעינא דלא איעכב אזל  
לגביה...אמר ליה לאימת אתי מר אמר ליה היום אתא לגבי אליהו אמר ליה מאי אמר לך...אמר ליה סקורי קא שקר בי  
דאמר לי היום אתינא ולא אתא אמר ליה הכי אמר לך (תהילים צה:ז) היום אם בקולו תשמעו (סנהדרין צח.)

**c) How can we “hear his voice”? What view of the messiah is this?**

4. You see, the challenges we face will not be solved with one meeting in one night. Change will not come if we wait for some other person or some other time.

We are the ones we've been waiting for. We are the change that we seek. We are the hope of those boys who have little; who've been told that they cannot have what they dream; that they cannot be what they imagine.

Yes they can.

We are the hope of the father who goes to work before dawn and lies awake with doubts that tell him he cannot give his children the same opportunities that someone gave him.

Yes he can.

We are the hope of the woman who hears that her city will not be rebuilt; that she cannot reclaim the life that was swept away in a terrible storm.

Yes she can.

We are the hope of the future; the answer to the cynics who tell us our house must stand divided; that we cannot come together; that we cannot remake this world as it should be.

Because we know what we have seen and what we believe - that what began as a whisper has now swelled to a chorus that cannot be ignored; that will not be deterred; that will ring out across this land as a hymn that will heal this nation, repair this world, and make this time different than all the rest - Yes. We. Can.

**(President Barack Obama, Super Tuesday, February 5, 2008)**

# A TALMUDIC WITCH HUNT: TRANS-ING THE BOUNDARIES OF GENDER, MAGIC & POWER

Giloh Kletenik

## Babylonian Talmud Gittin 45a

**[A]** The Daughters of Rav Nahman stirred a boiling cauldron with their bare hands.

Rav Ilish was puzzled; it is written, "One man among a thousand have I found, but a woman among all those have I not found" (Eccl 7.28), and yet here are the daughters of Rav Nahman!

**[B]** It happened that they were carried away captive, and he was also taken captive with them.

One day a man was sitting next to him who understood the language of birds.

A raven came and called, and Rav Ilish said to him: "What does it say?"

It says, he replied: "Ilish, flee, Ilish, flee."

He said, "The raven is a liar, and I do not trust it."

Then a dove came and called.

He again asked: "What does it say?"

It says, the man replied, "Ilish flee, Ilish flee."

Said [Ilish]: The community of Israel is likened to a dove; this means that a miracle will be performed for me.

**[C]** He then said, "I will go and see the daughters of Rav Nahman; if they have retained their virtue, I will bring them back."

He said: "Women talk over all their affairs in the privy."

So he went and overheard them saying: "They [our husbands] are men and these Nehardeans are men.

Let us tell our captors to remove us to a distance from here, so that our husbands may not come and hear [where we are] and ransom us."

**[B']** Rav Ilish then rose and fled, with the other man.

A miracle was performed for him, and he crossed the river, but the other man was caught and killed.

**[A']** When the daughters of R. Nahman came back, they stirred the cauldron by witch craft.

## תלמוד בבלי מסכת גיטין מה.

**[A]** בנתיה דרב נחמן בחשן קדרא בידייהו.

קשיא ליה לרב עיליש כתיב (קוהלת ז) "אדם אחד מאלף מצאתי ואשה בכל אלה לא מצאתי". הא איכא בנתיה דרב נחמן!

**[B]** גרמא להו מילתא ואשתביין, ואישתבאי איהו נמי בהדייהו.

יומא חד הוה יתיב גביה ההוא גברא דהוה ידע בלישנא דציפורי.

אתא עורבא, וקא קרי ליה.

אמר ליה, מאי קאמר?

אמר ליה, עיליש ברח, עיליש ברח.

אמר, עורבא שיקרא הוא, ולא סמיכנא עליה.

אדהכי אתא יונה, וקא קריא.

אמר ליה, מאי קאמרה?

א"ל, עיליש ברח, עיליש ברח.

אמר, כנסת ישראל כיונה מתילא, ע"מ

מתרחיש לי ניסא.

**[C]** אמר, איזיל אחזי בנתיה דרב נחמן; אי קיימן בהימנותייהו אהדרינהו.

אמר, נשי כל מילי דאית להו, סדרן להדדי בבית הכסא,

שמעינהו דקאמרן,

עדי גוברין, ונהרדעי גוברין.

לימא להו לשבוייהו דלירחקינהו מהכא דלא ליתו אינשין ולישמעי וליפרקין.

**[B']** קם ערק אתא איהו וההוא גברא.

לדידיה, איתרחיש ליה ניסא, עבר במברא, וההוא גברא אשכחוה וקטלוה.

**[A']** כי הדרן ואתן אמר הוון קא בחשן קידרא בכשפים:

<b>Babylonian Talmud Sanhedrin 67b</b>	<b>תלמוד בבלי מסכת סנהדרין סז:</b>
<p>Abaye said: The laws of sorcerers are like those of Shabbat: certain actions are punished by stoning, some are exempt from punishment, yet forbidden, whilst others are entirely permitted. Thus: if one actually performs magic, he is stoned; if he merely creates an illusion, he is exempt, yet it is forbidden: whilst what is entirely permitted? – Such as was performed by R. Hanina and R. Oshaia, who spent every Sabbath eve in studying the Laws of Creation, by means of which they created a third-grown calf and ate it.</p>	<p>אמר אביי הלכות כשפים כהלכות שבת יש מהן בסקילה ויש מהן פטור אבל אסור ויש מהן מותר לכתחלה. העושה מעשה, בסקילה; האוחז את העינים, פטור אבל אסור; מותר לכתחלה? כדרכי חנינא ורב אושעיא כל מעלי שבתא הוו עסקי בהלכות יצירה ומיברי להו עיגלא תילתא ואכלי ליה.</p>

**John G. Gager, Curse Tablets and Binding Spells from the Ancient World**

We have already seen that defixiones must be treated as a familiar feature of ancient Mediterranean cultures ...The reason for their pervasive presence lies in the observation that they worked, or that they were believed to work, which comes to the same thing. Their success and effectiveness also explains why they were treated as illegal or dangerous. Dangerous not because they always intended harm but because they worked. Better yet, they worked in ways that could not be controlled by the legal, social, and political centers of ancient society. Indeed, at times they stood outside, perhaps in direct opposition to those centers. The idea that magoi could dispense power on matters of central importance to human life; the idea that any private person, for nothing but a small fee, could put that power to use in a wide variety of circumstances; and the idea that all of these transactions were available to individuals who stood outside and sometimes against the "legitimate" corporate structures of society - all of these ideas presented a serious threat to those who saw themselves as jealous guardians of power emanating from the center of that society, whether Greek, Roman, Antiochene, or Rabbinic.

**Michel Foucault, Discipline & Punish: The Birth of the Prison**

We should admit rather that power produces knowledge (and not simply by encouraging it because it serves power or by applying it because it is useful); that power and knowledge directly imply one another; that there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations. These "power-knowledge relations" are to be analysed, therefore, not on the basis of a subject of knowledge who is or is not free in relation to the power system, but, on the contrary, the subject who knows, the objects to be known and the modalities of knowledge must be regarded as so many effects of these fundamental implications of power-knowledge and their historical transformations.

**Mikhail Bakhtin, "Carnival and the Carnavalesque"**

Because carnivalistic life is life drawn out of its usual rut, it is to some extent 'life turned inside out', 'the reverse side of the world.' The laws, prohibitions, and restrictions that determine the structure and order of ordinary, that is noncarnival, life are suspended during carnival: what is suspended first off all is hierarchical structure and all the forms of terror, reverence, piety, and etiquette connected with it - that is, everything resulting from socio-hierarchical inequality or any other form of inequality among people (including age).

**Judith Butler, Gender Trouble**

I noted that trouble sometimes euphemized some fundamentally mysterious problem usually related to the alleged mystery of all things feminine. I read Beauvoir who explained that to be a woman within the terms of a masculinist culture is to be a source of mystery and unknowability for men, and this seemed confined somehow when I read Sartre for whom all desire, problematically presumed as heterosexual and masculine, was defined as trouble. For that masculine subject of desire, trouble became a scandal with the sudden intrusion, the unanticipated agency, of a female "object" who inexplicably returns the glance, reverses the gaze, and contests the place and authority of the masculine position. The radical dependency of the masculine subject on the female "Other" suddenly exposes his autonomy as illusory. That particular dialectical reversal of power, however, couldn't quite hold my attention - although others surely did. Power seemed to be more than an exchange between subjects or a relation of constant inversion between subject and an Other; indeed, power appeared to operate in the production of that very binary frame for thinking about gender. I asked, what configuration of power constructs the subject and the Other, that binary relation between "men" and "women," and the internal stability of those terms?

**Hannah Arendt, The Human Condition**

What first undermines and then kills political communities is loss of power and final impotence; and power cannot be stored up and kept in reserve for emergencies, like the instruments of violence, but exists only in its actualization ... The only indispensable material factor in the generation of power is the living together of people ... What keeps people together after the fleeting moment of action has passed (what we today call "organization") and what, at the same time, they keep alive through remaining together is power ... If power were more than this potentiality in being together, if it could be possessed like strength or applied like force instead of being dependent upon the unreliable and only temporary agreement of many wills and intentions, omnipotence would be a concrete human possibility.

# A TALMUDIC WITCH HUNT: TRANS-ING THE BOUNDARIES OF GENDER, MAGIC & POWER

Gilah Kletenik

The primary focus of our studies together is a Talmudic pericope excerpted from Babylonian Talmud Gittin 45a.

We are reminded, as always, that the meaning of a text is seldom laid out open before us. Rather, the burden to unlock its depths is placed upon our shoulders and the key to so doing is in the text itself - in its language, word-choice, structure, rhythm and images.

The following provides a scaffold to our reading and analysis of the narrative - but please, go deeper and wider.

**[A]** Our narrative opens - **the Daughters of Rav Nahman stirred a boiling cauldron with their bare hands** - Rav Ilish is puzzled by their ability to do this without harming themselves. Is this a supernatural feat attributable to exemplary righteousness or are dark powers at play? If the former, this ostensibly contradicts the conclusion of Ecclesiastes, wherein the author seeks, but fails to find, but one righteous woman! This curiosity captivates Ilish and constitutes the crux of this tale

What phrase is used by the text to indicate Ilish's puzzlement?

**[B]** Away from Nehardea, in captivity, Ilish is met once more with a puzzle. Here, it is not women who he struggles to understand, but rather a different creature, birds.

How does Ilish reason-through his encounter with the birds and the Bird Man?

From what skills and training of his does he draw in his interpretation and reasoning?

**[C]** **Women talk over all their affairs in the privy** - why might they do this and what does this tell us about Ilish's perspective that he declaims as much?

**They are men (our husbands) and these Nehardeans are men** - why do the Daughters of R. Nahman feel this way? What does it tell us about the authors of this narrative that they place such words into their mouths and, specifically, in the privy?

**[B']** Why does Ilish leave without the Daughters?

What might the story be telling us in noting that Ilish escapes miraculously?

**[A']** How do you understand this conclusion?

- What are the different spaces of the story? Where is the center and whence the margins?
- What kinds of boundaries - physical and nonphysical - are implicitly or explicitly present in the tale? Are they transgressed and, if so, how and by whom?
- What dichotomies do you discern in the tale?

**After exploring this story, the accompanying texts beckon, go out and study ...**