

REVIEW ESSAY

Gerald F. Murray

Professor Murray teaches in the Department of Anthropology, University of Florida at Gainesville

ANTHROPOLOGY, EVOLUTION AND JUDAISM: RETHINKING THE WINGS OF THE DOVE

In the *Wings of the Dove*, David W. Weiss shares with us the insights which he has gained as a citizen of two worlds, the world of biomedical science and the world of Orthodox Judaism. In the former world he is currently Chairman of the Department of Immunology at Hebrew University in Jerusalem, a noted scientist in the world of cancer immunology. In the latter world, the world to which his book is principally addressed, he is a committed, observant Jew intent on integrating his profession into an observant lifestyle, not only practically, but also intellectually. This book, a collection of 10 articles and essays published separately over many years and republished here by B'nai Brith books into one 205 page volume, is organized into three general topic areas: 1) halakhah through the ages; 2) Judaism and evolution; 3) a personal chronicle of trips made to the Soviet Union, to Europe, and to different parts of Israel. This review will deal with parts 1 and 2, first presenting Weiss' principal arguments and then examining them at least partially through the lens of anthropology.

The first section, "Length of Our Days," is an extended discussion by the author of the nature and purpose of Jewish law. Speaking here less as a scientist than as an observant Jew, Weiss self-effacingly refers to this extended discussion of halakhah as "reflections." But the nearly 200 scholarly footnotes that buttress these reflections lend them considerable weight. Weiss is in full agreement with the Orthodox view of halakhah as the core distinguishing feature of Judaism. It is its "mystique of action" (p. 21) which distinguishes traditional Judaism from other religions. The performed behavioral mitzvah, not the professed cognitive belief, has been and continues to be the cornerstone of the Jewish approach to God.

Quite interestingly, his quarrel in this first part of the book is not with those Jews who deny the contemporary relevance of halakhah, but rather with those highly observant Jews who in Weiss' view sabotage the inner

life and external credibility of halakhah by practicing and promulgating a version thereof that is bereft of inner life, focused on mere externals, divorced from any conscious intent on the practitioner to link external behaviors to internal "imitation and knowledge of God." Weiss is non-negotiably committed to halakhic observance. But it is not enough, he insists. To have its full transforming impact, it must be accompanied by an inner spirit, an "ethical" dimension. Halakhah, when properly performed, leads to the "manifestation," to the "realization" of a Jewish ethic, to the "imprinting" onto the soul of Jewish values.

In Weiss' view this spiritual deepening does not come automatically from halakhic observance. If done in the wrong spirit, halakhic meticulousness can lead—and in certain Orthodox sectors has led—to "opaque, pedantic legalism" (p. 27). The emergence of such spiritually deadening formalism into the religious life of certain Jews is traced by Weiss to a rabbinic reaction to the threats posed by the Emancipation and the Haskalah. Confronted with the dangers of assimilation, many rabbinic leaders reacted by downplaying the open, universalist spirit of traditional Judaism with a siege-like defensive valuation of those aspects of Jewish law and custom that would simply force Jews to be different from their neighbors.

This siege mentality leads not only to ostentatious formalism in personal practice, but also to a dampening of the energy with which the kahal and its leaders can devise creative halakhic adaptations to the demands of life in a changing world. Here Weiss signals awareness of being on somewhat sensitive eyebrow-raising ground with his Orthodox readership. He explicitly states that halakhah need *not* and does *not* change. In his search for language which implies flexibility without reform or reconstruction, he latches on to the verb "unfold," a verb which, once introduced, becomes a cornerstone of his discussion not only of halakhah but also—and somewhat problematically from a scientific point of view—in his Part Two discussion of evolution itself. Traditional Jewish law, then, has adapted to a changing world by "unfolding." The above mentioned rabbinic siege reaction has in Weiss' view not only led to a formalism in personal religious life, but also to a paralysis in the creative unfolding of new halakhic solutions to life in the modern world.

Ending this first section on a note that is both optimistic and compassionate to those whom he is criticizing, Weiss points to the disappearance of the external stress conditions which in the past perhaps justified a policy of halakhic "retrenchment and holding." It is now time for a "return and renewal" (pp.48-9), for a reintroduction of both the inner spiritual dimension and the external adaptive flexibility that characterized the Judaism of the ancient rabbis. Though his interlocutors have been the ultra-Orthodox formalists, he ends this first section with an observation addressed to those Jews whose solution has been to abandon halakhah.

There are many Jews with legitimate “halakhic dilemmas” which could eventually be settled in the future with rabbinically validated accommodations. But being a majestic corpus of constitutional law, halakhah may unfold more slowly than the needs of an individual. In such cases of conflict, Weiss urges submission of the individual to the ancient law of the rabbis and the avoidance of “epi-halakhic vehicles of change.” And in a sensitive and beautifully phrased exhortation to those entrapped in external or personal dilemmas which prevent them from going the distance with full halakhic observance, Weiss urges them to avoid legitimizing their deviations, to render to halakhah at least “. . . a debt of truth: to live with the self acknowledgement of imperfection, and to stand in defense of the standards to which all Jews must aspire” (p.58).

Whereas Part One dealt with the relation between halakhah and ethics, Part Two, “The Hand of the Master,” is a collection of four previously published articles dealing with the relation between Judaism and science. In Weiss’ view, the hallmark of the scientific method is “vigorously controlled experimentation.” This being the case, science is by definition limited and unable to address itself to “. . . the primary constituents of the universe,” particularly with respect to their distant, experimentally irretrievable origins. Recent scientific hypotheses concerning the Big Bang origins of the cosmos are not only compatible with the notion of an intelligent Creator. Rather, in Weiss’ view, an honest scientist will feel himself “compelled” to the belief in such a conscious, intelligent Creator.

In view of this conviction, Weiss fully accepts scientific accounts of origins, both the remote origins of the cosmos, and the more recent evolutionary origins of *Homo sapiens* from pre-human mammalian and hominid lifeforms. “But is not an observant Jew obliged to believe in the Creation as recounted in Bereshit?” Weiss is firm and almost militant in his statement that the *only* belief to which a Jew is obligated is the “. . . belief in a Creator concerned with His creation.” The interpretation of everything else is negotiable. The apparent “contradictions” between the sacred texts and scientific cosmology stem from a misunderstanding of the nature and purpose of the texts. The Tenach and Talmud “. . . are concerned exclusively with spirituality and morality.” The mechanisms of cosmogenesis are “. . . irrelevant to Judaism’s message, and no conception is forbidden that does not deny the essential belief in a Creator heedful of His works.” In this light, the “stories” of Creation and of the Exodus are not “binding on faith” (pp. 84–5 *passim*).

This is strong language, which may be interpreted within Orthodoxy as either courageous or heretical. For in the same brief chapter, Weiss is challenging not only the scientist’s right to pontificate about the origins of the universe, but also the right of religious authority to declare as binding

on Jewish faith any belief or any *ani maamim be'emunah shlemah* beyond the core belief in the existence of a Creator concerned with His creation.

Orthodox readers will probably agree fully with Weiss' view of the limitations of scientific explanation; they knew this already. They will probably be less enthusiastic about his bare-bones view of the scope of mandatory Jewish beliefs. It is the radical character of his clearly enunciated propositions on the freedom of Jewish belief that explains why the first part of the book *had* to precede the second. Part One, with its non-negotiable defense of the law of the rabbis, was an articulate recognition of rabbinic authority in the realm of halakhah. Only after establishing his unquestioned commitment to traditional Jewish *behavior* could Weiss venture into his Part Two advocacy of the freedom of Jewish *thought*, and his related assessment of the possibly allegorical character of much of the text of the Tenach. Had he argued the latter without first revealing his commitment to halakhah, he might have been dismissed by Orthodox readers as a dangerously heretical *hiloni*.

The heart of his advocacy of the freedom of Jewish thought comes in the chapter "Evolutionary Hypotheses in Biology: Reflections of a Jewish Scientist." It is in the introduction to this chapter that Weiss launches his challenge to those Orthodox vigilantes committed to protecting us from the "heresy" of evolution, either by pooh-poohing evolution as "just a theory," or by dismissing a fossil as a type of subterranean decoy purposely hidden by God Himself to test the faith of the Jew that finds it. Weiss counters with force against any attempt to block or disparage honest scientific enquiry, no matter what theological difficulties the resulting scientific insights may raise. He then summarizes the basic postulates of evolutionary theory and, while recognizing the hypothetical character of much of our current understanding, bluntly asserts that these evolutionary concepts offer ". . . a more satisfactory interpretation today of the appearance and population dynamics of species than any other formulation that has been advanced." He thus accepts evolution, not as a "belief," but simply as the best scientific hypothesis currently available to explain the origin of species. And though he would not force-feed evolution to yeshiva students, he would reject as illegitimate any attempt to label its discussion as heretical, however holy the motives.

But what then of the *peshat* of Bereshit? Can it be reconciled with evolutionary theory? Weiss mercifully spares his readers the agonizing verse-by-verse apologetics that many religious Jewish and Christian writers have concocted to "harmonize" the sacred texts with the findings of science. ("The Bereshit *yom* refers to a geological era." "The Day One light preceding the creation of the Sun refers to intergalactic cosmic rays." "The *rakia betoch hamayim* is an allusion to Martian ice caps 'above' Earth's *rakia*," etc.) Weiss avoids such juvenile hermeneutics by cutting to the heart of the matter. Following the lead of several *hazal*, and

also the Rambam, he defends the legitimacy of attributing an aggadic, purely allegorical character to non-halakhic passages in the Hebrew text.

Weiss' defence of the legitimacy of an evolutionary understanding of human origins takes a delightful turn. Not only is evolutionary theory compatible with science. It was also prefigured in ancient Jewish writings. From Rabbi Samuel of Cappadocia (*Hullin* 27b), to the Midrash Rabbah (Genesis 14:10), down through Maimonides and Nachmanides, Weiss marshals a series of venerable Jewish texts that explicitly posit a gradual emergence of the human body from prehuman lifeforms. One must be cautious against construing these texts as a "license" for the Jew to accept evolution; the case for or against evolution rests on what the archeological record says, not the writings of Rabbi Samuel. But these colorful ancient texts, masterfully compiled by Weiss, are relevant in at least one sense: they constitute *prima facie* evidence that the same human group privileged with normative insights into halakhah also formulated aggadic opinions concerning human somatic origins that happen to be in fundamental harmony with the diachronic thrust of modern anthropological research.

For Weiss this totally natural model of human somatic emergence in no way detracts from the majesty and glory of the Creator. On the contrary, in what is one of the most telling sentences in the entire book, Weiss affirms that the ". . . Jew stands in equal awe before the Master when he calls on Him, by the dictates of his reason, as 'Creator of heaven and earth, Master of the makings and evolvement of proteins and nucleic acids to readiness for Thy spirit,' as when (he addresses Him) by traditional phrases drawn before present insight into the structures of life was attained" (p. 105).

The book thus stands on four pillars: talmudic/midrashic scholarship, scientific insight, literary elegance, and powerful religious conviction. Many of the evolutionary formulations may offend religiously committed readers who do not share the author's scientific premises. Many of the religious formulations would be rejected by the author's secular scientific colleagues who do not share his premises (and will probably not in any case read the book). And the non-negotiable commitment of the author to the halakhah of the rabbis as the cornerstone of authentic Jewish life is certain to be rejected by most non-Orthodox thinkers, especially those committed to the promulgation of "post-halakhic Judaism."

The book's target audience, therefore, is that subset of Jews who are committed to a scientific worldview for explanations of natural processes and (proximate) human origins, but to traditional halakhic observance for the purification and transformation of their personal lives. In its masterful attempt to defuse any spurious tension felt between these two commitments, the book must be seen as a milestone and a breakthrough.

But as with most milestones there are several visible cracks, some of them superficial, others of possibly deeper structural significance.

1. When Weiss says that a knowledgeable scientist is "compelled to believe" in the existence of an intelligent Creator, even the most sympathetic reviewer, who shares the author's belief in this matter, feels compelled to request that he switch from the third person to the first person singular in such formulations. Weiss is aware of the existence of many scientific colleagues who do not feel this compulsion to believe. Was he merely speaking metaphorically of the compulsion which he himself felt? Or does he entertain genuine doubts about either the intellectual honesty or the scientific insights of nonbelieving scientists? It is perfectly valid to assert that recent scientific insights into cosmogenesis are *compatible* with belief in an intelligent Creator. To say that scientists are *compelled* to so believe, however, is to make normative for the entire scientific world what was in the final analysis a quite personal intellectual and spiritual trajectory for Weiss himself.

2. "Evolution occurs as a form of unfolding and ascent from germs sown at the Creation." Weiss' use of the term "unfold" with respect to the diachronic adaptation of halakhah has already been alluded to. However, his further and repeated use of this term as a synonym for biological evolution as well would be seen as scientifically idiosyncratic by many of his colleagues. Though this metaphor of unfolding from a germ is perhaps appropriate for ontogeny (the biological maturation of individual members of a species) its application to phylogeny (the development of a new species) is scientifically questionable. To take a specific example, whereas the genetically based capacity for bipedal locomotion can be said to "unfold" into upright posture in the individual human toddler, few scientists would refer to the emergence of bipedalism in our species as an "unfolding." The 19th century orthogenetic belief in a predetermined inner "tendency" among prehuman primates that was waiting to "unfold" into bipedalism blurs a scientifically critical distinction between Mechanisms of ontogeny and phylogeny and is now rejected by the scientific community at large. Weiss is certainly aware of this distinction himself and may have been speaking metaphorically. But if he was religiously cautious in avoiding the use of the verb "evolve" to describe what happens to halakhah through time, then he should also be scientifically reluctant to use the verb "unfold" to describe what happens to phylogenetically evolving lifeforms.

3. "Though the human body developed without special divine intervention, the human soul was directly infused." Another point of departure from the idiom prevailing in the scientific community comes when the author discusses the specific emergence of human beings, the processes referred to by anthropologists as hominization and sapientization. Adopting a view espoused already by several other Jewish and Christian writers,

Weiss states that while there was no special “extranatural” divine intervention in the emergence of the human body, the human soul in contrast was infused directly by God into the pre-human man-like golem whose body had evolved to the stage of appropriate readiness. Despite the spectacularly beautiful language of the passages in which Weiss discusses this special direct creation of the human spirit (pp.106–108), his compromise solution will be seen by some scientists, even religious scientists, as clever but unnecessary back-pedaling. The sophisticated neocortical functioning that constitutes the organic base of human mind and spirit is a product of the same biological evolution that generated bipedalism and tool use. Stated bluntly, there is no more essential need, either scientific or theological, for positing extraordinary direct divine intervention in the generation of what we experience as consciousness/mind/spirit than in the generation of teeth or toenails. One cannot have it both ways. If the direct “forming” by God of Adam’s body from Eden’s clay is viewed by the author as an allegory, the exact same could be said—rather, in the name of honesty and consistency, *must* be said—of the breathing of the *nishmat hayyim* into his nostrils. Weiss’ oscillation between an evolutionary explanation for the human body and an interventionist explanation for the human soul is extremely well phrased but substantively unconvincing.

4. Weiss is rightly concerned with the problem of antiscientific biases in certain sectors of the Orthodox community and he has described them very well. His explanation of the *origin* of this bias, however, has serious empirical and analytical flaws. He in effect states that the anti-scientism of certain rabbinic circles is due to their unwitting internalization of an antiscientific Christian worldview, a formulation that constitutes an egregious caricature, not only of Christianity, but also of the numerous halakhic scholars whose continuing nervousness at evolutionary theory stems from profoundly Jewish concerns.

Weiss’ own words should be cited here. He attributes to Christianity an historically “unavoidable” tendency “. . . to deprecate or resist scientific enquiry as inherently dangerous to key elements of its canon and posture” (p. 90). After thus proclaiming (without documentation) the presumably irrational character of Christianity, he concludes that “by enlisting in wars against scientific explorations, the Jew is only giving proof to the sociological maxim that minorities often adopt, unwittingly, values and causes of the host society” (pp. 90–91). He pleads with the Orthodox to “. . . desist from alien crusades, as of other religions, against the right to knowledge” (p. 109).

This causal attribution of ultra-Orthodox anti-scientism onto the Christian world is indeed puzzling. If anti-scientism were truly a product of gentile exposure, how does the author explain that Jewish acceptance of the evolutionary theory that he is defending is strongest precisely in Conservative, Reform, and Reconstructionist circles, whose liturgical

services most resemble those of their Christian neighbors, and whose children are marrying Christian spouses in great numbers?

This explanation is flawed not only empirically, but also analytically, in its use of a double standard. Weiss is saying in effect that, whereas those rabbis who castigate evolution and ban it from their yeshivas as *hillul Torah* have, under pressure from external threats, simply taken temporary leave of their good Jewish senses, popes and bishops who in the past have done the same were behaving like true Christians. Scholarly honesty demands that if the transient historical determinants of rabbinic errors are sympathetically analyzed, papal and episcopal behavior should be accorded the same care. If an Orthodox writer is factually unprepared or personally reluctant to give such equal time and analytic treatment to other faith systems, then he should simply avoid any mention thereof.

5. The above-critiqued evolutionary and sociological dimensions of Weiss' book are unlikely to offend its predominantly Orthodox readership. There is one area, however, where Orthodox readers, even those open to evolutionary explanations of human somatic emergence, will rightfully ask questions. This concerns Weiss' proposition, stated in several passages, that the only doctrinal belief mandatory for the Jew is that of a Creator concerned with His universe. In Weiss' view, stated in several parts of the book, only halakhah is mandatory for the Jew. Any belief beyond that of a Creator concerned with His creation is, in contrast, optional.

That is, not only is the hypothesis of biological evolution permitted. Equally valid is an allegorical understanding of the origin and content of the sacred text itself. In this light he refers (p. 85) to the exodus event itself as a "story" and says that such stories were never ". . . intended as finite material depictions binding on faith." Taking this to its logical conclusion, Weiss is implicitly suggesting that an Orthodox Jew could legitimately hypothesize that the Sinai events themselves are allegorical and non-binding on faith and still consider himself Orthodox, as long as he observes halakhah.

This reviewer found himself wondering how hypotheses which would be violently rejected by most of the Orthodox community and its leaders as heresy could, in any operational sense, be called compatible with Orthodoxy. The tension is real and cannot be dismissed by undocumented assertions. The fact of the matter is that classical Judaism is concerned not only with Jewish behavior but with Jewish beliefs. On what evidence, then, or on what authority, is this proclamation as to the freedom of Jewish belief based? It must be pointed out that Weiss' entire discussion assumes an acceptance on his part of *Torah miSinai*. What is being stated here is simply that, if he thinks that belief in the literal accuracy of the Exodus and Sinai events are as optional as his propositions indicate, he would find few Orthodox philosophers and thinkers—

including the Rambam and others—who share his views on the freedom of Orthodox Jewish thought. My question here is not with Weiss' sense of the allegorical character of much in the Humash; an anthropological reviewer cannot help but be in substantial sympathy with this understanding of sacred texts. My question is whether we have an empirical justification for labeling the total freedom of thought which the author advocates as compatible with Orthodoxy.

6. My final observation will be based on the hopeful assumption that Weiss is correct and can give satisfactory answer to the question. For if he is correct, then the way is open for forward movement toward a solution to the dilemmas of legalism and antisecularism with which his book deals. The solution which he proposes actually comes early in the book, where he reconceptualizes the problem of legalistic rigidity as the effect of a rupture between the external and the internal.

The dichotomy is variously formulated in different parts of the book: behavior/ethics; matter/spirit; body/soul. But in several passages Weiss uses two Hebrew words as blanket labels to symbolize the rupture that has occurred: halakhah and aggadah. Weiss indicates that legalism in religion is a product of a maladaptive separation between the two. "Deprecation of the vivifying aggadic domain of Judaism has long been evident in the curricula of Eastern European yeshivot" (p. 7). Serious problems have arisen due to this ". . . distancing of halakhah from the realms of aggadah" (ibid.). Weiss urges us to reestablish the essential link that has been lost between these two elements.

It is here that a simple rewording might permit a more powerful conceptualization of the solution. For the problem which the author alludes to in Part Two, the antisecularism which often confronts Jewish scientists from the rabbinic community itself, stems not from a rupture between halakhah and aggadah, but on the contrary from a spurious historical linkage that has been forged between the two. If we expand the meaning of aggadah to include the non-halakhic, descriptive, "background" components of all sacred texts, including not only Talmudic and midrashic texts (to which the term aggadah is frequently restricted), but also to the non-halakhic parts of the written Torah itself, this point becomes clear. The Jewish scientist accepts traditional halakhah as binding on his behavior. But he functions in a community some of whose leaders would make traditional aggadah binding on his belief as well. As an observant Jew he organizes his behavior around halakhah. But as a knowledgeable scientist he must organize his cognitive understanding of origins around scientific data. His mind is not necessarily obliged to believe in the scientific accuracy of the surface content of aggadic texts—in fact cannot, need not, and should not. But his dilemma is that he is still bombarded with an unremitting stream of spoken and written messages from a certain type of Orthodox leader who feels qualified to instruct

fellow-Jews, not only what to do halakhically, but also what to believe aggadically.

I would therefore modify Weiss' formulation. The task is not to rejoin halakhah and aggadah, but to clarify the distinction between the binding character of the former and the non-binding character of the latter. This is not to contradict Weiss' fundamental point, the need for a joining of behavior with inner spirit. It is his labeling of the latter as aggadah which should be rethought. There is a powerful term that might better serve as the label for this internal dimension of well done halakhic performance: *kavannah*.

In a revised formulation, then, there would be three elements in the relationship between the people and its Creator: *kavannah*, halakhah, and aggadah. The contact between the soul and Creator is most closely linked to *kavannah*. The halakhah is the behavioral means to this internal transformation. The aggadah is simply the explanatory "wrapping" fine tuned to a supernatural reality beyond our mortal comprehension. The essential link to be forged is that between halakhah and *kavannah*. The link between halakhah and aggadah, in contrast, must remain loose and non-essential. That is, even when recent scientific knowledge creates questions about aggadic accounts that were believed to be actual history, the halakhah which this aggadah clothed remains alive and normative. This is a simple reformulation of one of the most important points in Weiss' entire book.

In conclusion, Weiss is to be thanked for sharing with us the hard-won synthesis that has emerged in his own soul. To facilitate conceptually the long overdue *havdalah* between essentials and non-essentials which Weiss has so eloquently advocated; perhaps the bipartite nature/spirit and behavior/ethic dichotomies which he proposes might be broadened into a more encompassing tripartite model. This reformulated model would explicitly concede non-negotiable rabbinic authority over behavioral halakhah, would grant a serious hearing to scientific views as to the literal or allegorical character of aggadic "wrappings," and—above all—would entail non-negotiable commitment of all concerned to the deepening of divinely directed transforming internal *kavannah* as the phylogenetic goal of our species and the ontogenetic goal of each individual human soul.