

Reading the Talmud in Mexico: A Confession

Ilan Stavans
Amherst College

To Rabbi Justin David

You misinterpret everything, even silence.
—Franz Kafka, *The Castle* (1926)

IN MEXICO IN THE EIGHTIES, a *daf yomi*, for a neophyte like you, was a daunting endeavor. You were just in your early twenties, studying with a Mizrahi mother and daughter. You don't recall much about them other than the fact that they were Lebanese immigrants. What you do remember is the pride in your nascent capacity to interpret.

Even in its premodern stage, your country has always existed peripherally, in the outskirts. This is all the more so with modernity. It is as if Mexico had been left unfinished at the time of creation. You once saw a black-and-white film by Luis Buñuel, *Los olvidados* (1950), called in English *The Young and the Damned*, about homeless children living in slums. There is one singular scene with a blind old man and a boy that takes place in an abandoned construction site. Modernity in Mexico City to you is symbolized by that scene.

When you were growing up there, the country had a one-party dictatorship. Democracy was quenched by means of all sorts of strategies. Dissent was tolerated as long as it didn't undermine the nation's hierarchical structure; otherwise, it was met, first with ostracism, then with torture, followed by prison and death.

How can you stand all of it now? You were oblivious to these political tides, though. That's why the political undertone of the Talmudic story didn't ring a bell. Could anything have been further from your day-to-day reality then? Although you look back at it with remorse, you realize maturity is about playing peek-a-boo.

Are you sure "The Oven of Akhnai" should be called a story? Its narrative flows like an unimpeded river, without beginning, middle, or end. Its plotline meanders. And it isn't populated with recognizable characters whose inner and outer worlds we survey.

It was in Bava Metzia, the first of a three-part Talmudic tractate called Nezikim (the other two are Bava Kamma and Bava Batra), chapter 4, 59a–59b.¹ The general topic of the tractate is properly law. You were reading it in a bilingual Hebrew/Spanish edition from Buenos Aires.

With typos . . . You can't quite recall any in particular. Why was it embarrassing to come across them? Because you believe the Talmud should be treated with utmost respect. A single page of it is something to behold. Perhaps they added to your feeling of existing in the periphery. Printed matter circulates in the Spanish-speaking world without much quality control. Still, the sheer fact that the Talmud was available to you was a source of joy.

You don't really like how the story is called, "The Oven of Akhnai." It isn't its real title. Talmudic stories don't have titles. But that isn't the problem. The problem is that the story is neither about an oven nor about a person called Akhnai.

There is no information about Akhnai. Was he a baker? If not, why did he have an oven? You've seen reproductions of this type of oven. They look like the upper half of a beehive, their walls made of concentric horizontal structures and an opening at the top. You have found in the Tosafot that Akhnai was a popular name in the second century, its roots probably in Phoenicia. Could the title be a reference to a "Joe the oven owner"?

You have read that the word *akhnai* is an Aramaic version of the Greek word for "snake." Does Akhnai's oven look like a dormant snake? Inevitably, the snake—in Hebrew, *nahash*—is a symbol that refers you to Genesis 3:1, where the animal persuades Eve to disobey God's prohibition against the Tree of Life.

You know other Talmudic stories about ovens. One in particular (Kiddushin 81b:2–4) has an important female character. It is about a rabbi, Hiyya bar Ashi, who prays to God to protect him against the *yetzer ha-ra*, "the evil inclination." His wife, Heruta, wonders why, since they have not had sexual relations in a long time. She decides to dress up like a prostitute to seduce him in the garden. He possesses her. Later on, as she is kindling an oven, he confesses to Heruta. She tells him it was she who seduced him. Rabbi Hiyya bar Ashi then responds: "But I, anyhow, intended to do something forbidden."

A page or two before, before "The Oven of Akhnai" even starts, it addresses a theme of deep concern for the rabbis: *ona'at dvarim*, "aggression through words." It states that there is no more serious sin; so serious, God never fails to notice it.

As the plot unfolds, the reader is told a *mishna* from tractate Kelim about utensils susceptible to ritual impurity. An assortment of rabbis reacts to it. They eventually line up in two opposing sides: Rabbi Eliezer—his full name is Rabbi Eliezer ben Hyrcanus, one of the *tanna'im* and a student of Rabbi Yohanan ben Zakai known for having learned Torah late yet having amassed knowledge superior to all his peers—argues that if the oven of Akhnai is broken into parts, it isn't susceptible to ritual impurity; the Sages disagree with him.

Who are these rabbis? The story doesn't seem to care. It ignores biographical background, turning the rabbis into mere mouthpieces.

Anyway, Rabbi Eliezer uses logical arguments to prove his point but in the end fails to convince his opponents. He decides to switch strategies. To prove his point, he makes a number of what you think are outlandish remarks. For instance, he tells the Sages: "If the *halakha* is in

¹ You digressed on "The Oven of Akhnai" in a Talmudic lesson you offered in 2014, in which you also talked about Jacob's usurpation of the first-son rights in front of Isaac (Gen. 27): "God's Smile," *The Common* 8 (2014): 36–51. And you touched on it in *The Oven: An Anti-lecture* (Amherst: University of Massachusetts Press, 2018).

accordance with me”² (this phrase will become a leitmotif), the carob tree will immediately uproot itself. Soon the carob tree does, moving one hundred cubits—some say four hundred—from its original place.

The Sages dismiss Rabbi Eliezer’s evidence, saying that “proof cannot be brought from a carob tree.”

In Mexico, you recollect being struck by this opening scene, or what amounts to a scene. In that period, you were reading *One Hundred Years of Solitude* (1967), said to be the cornerstone of the movement known as *lo real maravilloso*, “magical realism.” Animism permeates such aesthetics: all of a sudden, objects mysteriously move from place to place. For instance, in a crucial episode, *el hilo de sangre*, “a thread of blood,” travels from the dying body of José Arcadio Buendía Hijo to his mother, Úrsula Iguarán. And a bag of bones brought to Macondo, the mythical town where the novel is set, by Rebecca keeps showing up, autonomously, at unexpected moments.

Magical realism was described as a by-product of Latin America, a continent where reality remains in formation, mixing dreams with factual information, thus bending our sense of what’s conceivable. The episode of the carob tree seems to you to share these traits.

It used to bother you that, in people’s eyes, you came from a landscape defined by magic. But it doesn’t anymore. Actually, you like it. In Mexico, spirits coexist with people; they guide them in their daily endeavors. Where you live now, reality is too blunt, too scientific. It doesn’t bend.

You have asked yourself countless times: Why does *lo real maravilloso* flourish so robustly in that part of the world? Your answer has to do with the arrival of *modernismo*, an aesthetic wave sweeping the region for three decades, starting around 1880, when Nicaraguan poet Rubén Darío published his influential book *Azul... (Blue...)*.

Darío and his cohorts (José Martí, Leopoldo Lugones, Delmira Agustini, José Asunción Silva, Amado Nervo, et al.) drank coffee, dressed like French intellectuals, and wrote precious poetry. A few were Orientalists; others sought to give voice to the nativist folktales. It was a period of turmoil: Italian and Jewish immigrants were seeking a new life in Buenos Aires, Montevideo, Bogotá, and Mexico, among other places. Gas lighting, sewer systems, and public transportation were redefining the Latin American city. The Modernistas were convinced their nations would soon catch up with Europe. Was it the wrong aspiration?

Half a century later, another generation of writers—Gabriel García Márquez, Mario Vargas Llosa, Julio Cortázar, and others—will be more skeptical. The wounds of colonialism run deep. They don’t all of a sudden disappear. Power corrupts everything. Latin America has its own path. It doesn’t have to be like Europe. Pre- and postmodernity coexist in its midst. This generation will embrace other modes of being, like jazz, Buddhism, and a return to the pre-Columbian past.

The Talmud, indeed Jewish sources in general, aren’t part of their menu. That’s why you felt, next to your Lebanese study mates, like an anachronism. You were finding your own path. The *daf yomi* was your ticket to freedom. It was a bubble almost for yourself alone. Yet it blinded you, too. It was an exercise in solipsism. You thought it connected with your own ancestral roots but nothing else.

Rabbi Eliezer tries again. He states: “If the halakha is in accordance with me,” a nearby channel of water will flow backward. And miraculously, it does. But the Sages remain unconvinced: “Proof cannot be brought by the channel of water either.”

² Quotations come from Adin Steinsaltz’s edition of *The Talmud* (New York: Random House, 1990), vol. 3, tractate Bava Metzia, pt. 3:233–38.

To which Rabbi Eliezer adds another proof: the walls of the House of Study will lean sideways, almost falling to the ground.

Rabbi Eliezer's chief antagonist, Rabbi Yehoshua (full name: Rabbi Yehoshua ben Hananiah, another *tanna'*), enters the stage, proudly saying: "If Talmudic scholars argue with one another in their discussion about the *halakha*, what affair is it of yours?" In other words, he is categorical that no extemporaneous proof should be used to make a logical point.

At this point, the two sides cannot define their turf in clearer terms: one (Rabbi Eliezer) believes in revelation; the other (Rabbi Yehoshua and the Sages), in human reason. To you, *this* is what "The Oven of Akhnai" is about.

Astoundingly, the story states that out of respect for Rabbi Yehoshua, the walls of the House of Study didn't fall down; and out of respect for Rabbi Eliezer, they didn't go back to their original position either. They remained tilted. (By the way, that's how a *mezuzah* is supposed to hang on the door frame.)

Does this mean God is taking no position? On the contrary, God is on Rabbi Eliezer's side; otherwise, the walls would have returned to their original position.

Unbearably stubborn, Rabbi Eliezer finally states that if the *halakha* is in accordance with him (by now you're tired of this line!), "let it be proved directly from Heaven."

It's the kind of statement that frequently comes from a desperate person: "I am right and God is my witness." Not being a prophetic text like the Torah, the Talmud, you think, should be neutral about this statement. You're therefore flabbergasted when a heavenly voice tells the Sages: "Why are you disputing with Rabbi Eliezer? The *halakha* is in accordance with him in all circumstances!"

These lines leave you speechless since you read them in Mexico with the Mizrahi mother and daughter. You thought God was neutral. Since when does God take sides, interfering in human affairs?

You're furious. You feel betrayed. You smile.

Undeterred, Rabbi Yehoshua rises to his feet and quotes Deuteronomy 30:12: "Lo bashamayim hi" (it [the Torah] is not in heaven).

You tell yourself he's right: the Torah is not in heaven.

But the Torah is from heaven. God likes to be revealed. Rabbi Yehoshua is putting a stop to it. God must feel upset.

From here on, the story turns ugly, moving from verbal dispute to physical violence. In punishment for his stubbornness, the Sages decide to ostracize Rabbi Eliezer, to excommunicate him. No one will be allowed to talk to him again.

Suddenly, you sympathize with Rabbi Eliezer. But is he an underdog? You're amazed by the partnership he has forged with God. To you it looks impure.

You brace yourself for what is coming. Since the Sages are ready to stand their ground, havoc is likely to ensue. Since no one wants to convey the bad news to Rabbi Eliezer (who by this point is wearing black clothes and sitting *shiva*), Rabbi Akiva, his student and a young rabbinical scholar known for his compassion, volunteers. You realize this is why the story of "The Oven of Akhnai" is about *ona'at dvarim*: because a lesson must be learned—this is the Talmud, after all—in terms of reconciliation.

There is no such thing, though. After Rabbi Akiva conveys his message, Rabbi Eliezer's fury not only persist but increases. "The world was smitten," we are told. "One-third of the olives,

one-third of the wheat, and one-third of the barley were destroyed. Indeed, some say that even the dough in women's kitchens swelled and spoiled." The Gemara adds that "there was great divine wrath on the day that Rabbi Eliezer was excommunicated and a great calamity befell the world, for whatever Rabbi Eliezer laid his eyes upon was burnt."

This is atrocious: God is vengeful.

The story states that years later, another religious leader, Rabbi Nathan, in a dream, meets the Prophet Elijah, who in the Talmud is a frequent discussant with the Sages. Rabbi Nathan wants to know if and how God reacted to the debate between Rabbi Eliezer and Rabbi Yehoshua. Elijah says: "God smiles and repeated: 'My sons have defeated me! My sons have defeated me!'"

You wonder: why does God smile? Is it a gesture of empathy, a father's expression of pride in his children's development? Or is it a sign referring to loss? And why does God repeat the sentence?

The answer, you tell yourself, might be rather simple: by endorsing Rabbi Yehoshua in the argument, the Sages defeated Rabbi Eliezer. God regrets having lost the argument.

There's a coda to the story, though, or perhaps it's another chapter. The Sages, to make clear what the winning argument was, burned all the food cooked in an Akhnai oven after it was reassembled, to show how things connected to it are ritually impure.

The two sides are in retaliation mode: Rabbi Eliezer has supernatural powers, which the Sages must contain.

At that time, Rabbi Gamliel, a great *tanna'* as well, who was responsible for the decision to excommunicate Rabbi Eliezer, was traveling on a boat. A huge wave suddenly rose over him to drown him. He quickly realized that it was brought on by heaven, so he said to God: "It seems to me that this can only be happening to me because of the anguish caused to Rabbi Eliezer ben Hyrcanus." He rose to his feet and said: "Master of the Universe, You know full well that I did not excommunicate Rabbi Eliezer for my own personal honor, nor for the honor of my father's house. Rather, Rabbi Eliezer was excommunicated for Your honor, because it is essential that no individual, great as he might be, should reject a decision reached by the majority, so that controversies will not multiply in Israel."

Majority rules. But is God happy?

Rabbi Gamliel does die. The story states that Rabbi Eliezer's wife, Imma Shalom, who was the sister of Rabbi Gamliel, would not allow her husband to pray. One day, when she wasn't paying attention—the story doesn't make clear whether she made an error in calculating the day of Rosh Hodesh or whether a pauper asking for money at her door distracted her—Rabbi Eliezer did pray. She asked him to rise, saying: "You have killed my brother." He wanted to know how she knew Rabbi Gamliel was dead. She answered that the shofar had just been blown in town to make such an announcement.

Did she feel remorse for being distracted and allowing her husband to pray? The story doesn't say. There are only a few women who appear in the Talmud. Heruta is one; Bruria, the wife of Rabbi Meyer, is another. Imma Shalom is a superb if flawed character. You like her. In cases of *ona'ah*, women like her have a direct line to God. She has the capacity to prevent her husband's apparent revenge—since, it seems to me, Rabbi Eliezer senses that if he prayed, something bad would happen—but makes a mistake and, as a result, her brother dies.

"The Oven of Akhnai," now you know, is about a colossal political fight, one in which the two sides suffer enormous losses. In your view, the character who comes out the worst—petty,

vengeful, intolerant—is God. Human affairs are always messy. We don't need God to complicate them even more.

Rabbis aren't saintly; they can be antagonistic and rancorous, like everyone else. In its essence, the story is about authority. To you it reads as an invaluable statement of the transition from prophetic to rabbinical Judaism, when biblical revelation ceased in favor of human consensus. This is an exploration of the tension between a single tyrannical form of government that is validated by heaven and a messy, fragile one we call democracy. Rabbi Eliezer represents the former; the Sages, the latter.

Why did you miss all this when you first read the story in Mexico? You failed to see how the story is also magical realist (a version of it could be part of *One Hundred Years of Solitude*), a vicious power struggle that could have helped you understand the drive for democratic change people were looking for. The Talmud was talking directly to *you*. But you yourself were peripheral. You preferred to enshrine the rabbinical debate you were studying in a mythical past.

As you read the story now, the COVID-19 pandemic—you've hunkered down at home—has forced millions into confinement. You're now in a state of heightened awareness. Worldwide the stakes are high. Obviously this rabbinical dispute is symbolic of the larger forces enwrapping you.

You live in the richest country in the world, yet the one most ravaged by the virus. More than two hundred thousand people have died. Millions are infected. Unemployment is high. Relief organizations aren't capable of helping those who are hungry. All this is happening while the bullying president of the nation you've chosen to live in, to which you immigrated, can't stop himself from engaging in *ona'at dvarim*, demeaning one opponent after another without regret.

Are you any wiser now? Perhaps just a bit, but wisdom is like sand trickling through one's fingers. Truth is, we are always condemned to misinterpret the universe.

You've come to the realization that Akhnai's oven is a proxy for the destroyed Jerusalem temple. The *tanna'im* were engaging in this debate as they pondered why their temple had fallen. Was it a form of divine punishment, they wondered? It is the same type of response that developed in religious circles after the Shoah: Did it befall us, rabbis asked, because of our sins? Could it have been averted?

The Torah is not in heaven; but the Torah is from heaven.

The possibility exists, of course, that you're misinterpreting the story yet again. You are left with a sliver of hope as you read the last line of "The Oven of Akhnai": "All the heavenly gates are locked except for the gates through which prayers concerning *ona'ah* pass."

In other words, we cannot be pardoned—by others, by ourselves—unless we recognize that words are weapons. That they can be used not only to build the world but also to demolish it. A