

Shakespeare and the Talmud

Fall 2021

Rabbi Dr. Meir Soloveichik

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Meeting Information:

Tuesday / Thursday

11:50 am – 1:05 pm

Location TBA

Shakespeare's plays were composed and performed in a time of extraordinary religious ferment, debate, and war; he wrote not long after Luther, the Reformation, and the transformation of religion in England. The central text at the heart of these debates was the Bible, and as so many of Shakespeare's plays focus on political themes, the Bible and politics are often profoundly intertwined in his work. In this seminar, we will see how this is so in some of Shakespeare's most famous works.

The Merchant of Venice infamously utilizes a fictional, utterly unfair representation of a Jewish moneylender in order to allow the playwright to opine on some of the central questions of political philosophy: the relationship between justice and mercy, commerce and charity, and the meaning of the law in Hebrew and Christian Scripture. The text has therefore been utilized not only in literature classes but in seminars on law and political thought, but often without proper attention paid to the Biblical allusions in the play.

Meanwhile, *Hamlet*, Shakespeare's most cited work, is linked to a biblical and Talmudic debate that actually impacted the very course of British history, a fact unknown today but well known in Shakespeare's era. In fact, it can be shown that Shakespeare wove questions of Biblical marital law into literature's most famous dramatic discussion of regicide, royalty, and kingship. Political theology and the presumed "divine right of kings" is further examined in *Richard II* and *Henry V*, which unpacks the very nature and function of monarchy on the English stage, and in so doing, reveals the profound impact of the Hebrew Bible and its exegetical tradition on Western thought. We will consider how these biblical-political themes allow for a renewed understanding of these plays, and how the plays themselves can inspire renewed reflections on these political and philosophical subjects. A delineation of the subjects of study pertaining to each play follows below.

Expectations: A portion of the play under discussion, and accompanying texts, will be assigned every week. Prior to every class, students will be expected to have read and reflected upon the readings of that week, and to participate in class discussions about them. At the end of every class, students will be given a question to facilitate reflection on the readings for the week ahead and will be asked to respond in short reflective

writing pieces. In addition, students will write a paper by the end of the term that will embody a sophisticated comparative reflection exploring one of the political and theological themes discussed in class. A final will conclude the semester.

Academic Honesty Policy and Disabilities: All students are expected to be aware of and abide by Yeshiva University's academic honesty policy. Plagiarism will not be tolerated. Plagiarism is the act of taking the words, ideas, data, illustrative material, or statements of someone else, without full and proper acknowledgment, and presenting them as one's own. Please just simply remember to cite your work. Students with disabilities who are enrolled in this course and who will be requesting documented disability-related accommodations should make an appointment with the Office of Disability Services, rkohn1@yu.edu during the first week of class. Once you have been approved for accommodations, contact me to ensure the successful implementation of those accommodations.

Grading

25%: Class Attendance and Participation

25%: Reflective Writing

20%: Essay

30%: Final Exam

Merchant of Venice: Justice and Mercy in Judaism and Christianity

The infamous image of Shylock lurks in any discussion of the history of Anti-Semitism in Europe; yet even as Jews have rightly and robustly criticized the play, they have also utilized it as a springboard for fascinating intellectual reflections. One of the most interesting Jewish reactions to the play was that of the great Shlomo Yosef Zevin, who was inspired to utilize the contract between Shylock and Antonio to reflect on the nature of personal autonomy in Jewish law. Others have been motivated by the play not only to point out the calumnies in Shakespeare's description of Jews but to reexamine the Jewish notion of *tzedek*, a political and moral concept that defies attempts to accurately translate it. The following questions will be considered as we study the play: How does Shakespeare misrepresent the Jewish understandings of law and justice? What is the truly traditional Jewish way of understanding the relationship between *mishpat* and *tzedakah*? What is the biblical definition of *tzedek*, and how is that manifest in the Talmudic conception of *peshara*? Are there truly differences between Jewish and Christian theology regarding the definition of justice? What is the legacy of this play today, and what can still be learned from it?

Texts

Devarim, selections

Plato, *The Republic*, selections

Shlomo Yosef Zevin, “*Mishpat Shylock Le-Or Hahalakha.*”

The Merchant of Venice: Law and Mercy in Judaism and Christianity

Robert Cover, “Nomos and Narrative,” 97 *Harvard Law Review* (1983)

1. Ben Menahem, *Judicial Deviation in Talmudic Law*, selections

Samuel Azjenstat, “Contract in The Merchant of Venice,” 21 *Philosophy & Literature* (1997)

Moshe Taragin, “The Role of Peshara Within the Halakhic Judicial System”

Nahshon and Shapiro, eds., *Jewish Responses to the Merchant of Venice*

Part 1: *The Merchant of Venice: Jews, Christians, and Justice vs. Mercy*

Meir Soloveichik, “The Virtue of Hate”

Richard Posner, *Law and Literature*, selections

Joseph B. Soloveitchik, *Halakhic Man*, selections

Michael M. McConnell, et. al., *Christian Perspectives on Legal Thought*, selections

Shaina Trapedo, “Shylock in the Lion’s Den,” *The Bible on the Shakespearean Stage*

1. R. Reno, “Loving the Law,” *First Things*

Royalty, Regicide and Levirate Marriage in *Henry VIII* and *Hamlet*

Hamlet is Shakespeare’s most studied play. What is often unknown today—but was well known to all of England at the time— was that the themes of regicide, marriage, and legitimacy were profoundly connected to Elizabeth’s claim to the throne, to Henry VIII’s marriages to Katherine of Aragon and Anne Boleyn, and to the very legitimacy of the English throne. Strikingly, the biblically knowledgeable reader will also understand something that could not have been lost on someone as biblically literate as Shakespeare: that the Davidic dynasty, the most celebrated royal family of both Jewish and Christian scripture, descended from a series of relationships that are linked to the concept of *Yibbum*. The careful reader of David’s story will also see how David struggles to balance family and policy, his love of his children, and his responsibility for the wellbeing of the country and the monarchy. It is impossible to study the book of Samuel,

or *Hamlet*, without considering one of the central questions discussed in politics today: how does the personal impact the familial?

We will study the play while placing it in the context of the questions about royal marriages and succession in Shakespeare's time, and the role that Talmudic, Catholic, and Protestant exegesis played in debates about these questions. This will allow us to see *Hamlet* through a new lens and to explore the following questions: What, for the Bible, and for Shakespeare, is the relationship between family and royalty, lineage and politics? What can be learned from the controversy surrounding Elizabeth's legitimacy about the nature of royalty in the public mind? What is the role of a king in the Bible, and why might regicide be a religious as well as moral crime? What might that tell us about the role of a king in the Biblical conception, and what is Shakespeare attempting to communicate about this very same subject following the various successors to Henry VIII? If the king is the source of state authority, how can a king be judged?

Texts

Biblical Selections: Genesis, The entire book of Ruth, The book of Samuel on Saul vs. David

Babylonian Talmud, Tractate Yevamot, selections

Babylonian Talmud, Sanhedrin, selections.

Machiavelli, *The Prince*, selections

David Katz, *History of the Jews in England*, Chapters 1-2

Jason Rosenblatt, "Hamlet, Henry, Epicoene, and Hebraica: Marriage Questions," in *Renaissance England's Chief Rabbi: John Selden*

A. Haverkamp, *Law & Literature*, "The Ghost of History: Hamlet and the Politics of Paternity"

Robert Cooper, *The American Interest*, "Shakespeare's Politics"

Kenji Yoshino, "Hamlet-The Intellectual," Reading the Legal Case: Cross-Currents between Law and the Humanities

Robert Bolt, *A Man for All Seasons*, selections

Stuart Halpern (ed.), *Gleanings: Reflections on Ruth*, selected essays.

Michael Walzer, et. al., *The Jewish Political Tradition*, et. al. "Authority."

1. David Bleich, "Jewish Law and the State's Authority to Publish Crime."

Sovereignty, Statecraft, and Spiritual Leadership in *Richard II* and *Henry V*

In October 1521, Pope Leo X conferred upon Henry VIII the honorary title “Defender of the Faith” in recognition of the king’s public defense of the sacramental nature of marriage and the supremacy of the pope. Less than a decade later, after Henry divorced Katherine and declared himself the head of the newly fledged Church of England, the pope revoked the title and excommunicated the king. The Reformation activated numerous questions about religious and political authority. How is it bestowed? What are its markers, internal or external? To what extent is it dependent on consent? Once an authority, always an authority?

We’ll extend our study of the nature of kingship in Shakespeare by examining two of his most famous history plays, *Richard II* and *Henry V*, and their engagement with episodes from the Hebrew Bible centered on statecraft and spiritual leadership. In the Hebrew Bible and its exegetical tradition, is the anointed king an exalted figure of faith, or does he also “live with bread like you, feel want, taste grief, need friends,” as Richard II confesses when he loses popular support to his cousin Henry Bolingbroke. The consent of the governed, the relationship between majesty and humility, and the king’s moral accountability in times of war and crisis are further probed in *Henry V*. In both plays, Shakespeare shows his Elizabethan audience early English monarchs seeking legitimization of their actions based on Hebrew scripture in an effort to invest themselves with its divine authority. How might the biblical episodes chronicling the early Israelites’ conquests in the land of Israel help us understand the links between nation formation and scriptural authority present in Shakespeare’s plays? We’ll also consider two different institutions of authority in Judaism—kingship and priesthood—and to what extent each influenced Shakespeare’s life and art.

Texts

Biblical Selections: Leviticus, Deuteronomy, Judges, The Book of Joshua

Babylonian Talmud, Sanhedrin, selections.

Basilikon Doron by King James I, selections

Ernst H. Kantorowicz, “Shakespeare: Richard II”

Steve Marx, “Historical Types: Moses, David, and *Henry V*”

Beatrice Groves, “England’s Jerusalem in Shakespeare’s *Henriad*”

Thomas Fulton, “Political Theology from the Pulpit and Stage: *Sir Thomas Moore, Richard II*, and *Henry V*”

Ken Jackson, “*Richard II*, Abraham, and the Abrahamic”

[Henry VIII: Defender of the Faith? Society of Antiquaries of London \(Links to an external site.\)](#) (online exhibit)

Meir Soloveichik, "King David," *First Things*

"Whence Comes Legitimacy?" in *The American Conservative* by Noah Millman

Schedule of Classes

The class schedule outlined below will be modified as schedule needs dictate throughout the semester. Readings and due dates will be available on Canvas, and any alterations will be posted and announced in class.

Week 0: Thursday 8/26	Course introduction, syllabus
Week 1: Tuesday 8/31 and Thursday 9/2	<i>Merchant of Venice</i> , Act 1
Rosh Hashana: No classes September 6 - September 9	
Week 2: Tuesday 9/14 (remote)	<i>Merchant of Venice</i> , Acts 2 - 3
Yom Kippur & Sukkot: No classes September 15 - September 29	
Week 3: Thursday 9/30 (remote)	<i>Merchant of Venice</i> , Act 4
Week 4: Tuesday 10/5 and Thursday 10/7	<i>Merchant of Venice</i> , Acts 4 - 5
Week 5: Tuesday 10/12 and Thursday 10/14	<i>Hamlet</i> , Acts 1 - 2
Week 6: Tuesday 10/19 and Thursday 10/21	<i>Hamlet</i> , Act 3 - 4
Week 7: Tuesday 10/26 and Thursday 10/28	<i>Hamlet</i> , Act 5
Week 8: Tuesday 11/2 and Thursday 11/4	<i>Henry VIII</i> Midterms
Week 9: Tuesday 11/9 and Thursday 11/11	<i>Richard II</i> , Acts 1 - 2 Midterms
Week 10: Tuesday 11/16 and Thursday 11/18	<i>Richard II</i> , Acts 3

Week 11: Tuesday 11/23	<i>Richard II</i> , Act 4 No class Thanksgiving 11/25
Week 12: Tuesday, 11/30 and 12/2	<i>Richard II</i> , Act 5
Week 13: Tuesday 12/7 and Thursday 12/9	<i>Henry V</i> , Acts 1 - 2
Week 14: Thursday 12/16	<i>Henry V</i> , Acts 3 - 4 No class December 14
Week 15: Tuesday 12/21 and Thursday 12/23	<i>Henry V</i> , Acts 5
Final Exam	Date to be announced