

RITUAL FAILURE AND THE POLITICS OF JEWISH MEMORY

By  
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## CURRICULUM VITAE

Celia Karoline Stern received her B.A. in Sociology from Washington University in St. Louis in 2020. In the course of her doctoral studies at Brown University, she has served as a teaching assistant for various courses in the Department of Religious Studies and has also been an instructor for Brown's pre-college program, Summer @ Brown, in 2024 and 2025. She has presented her work at Brown's Religion and Critical Thought Colloquium, the Yale Ethics Colloquium, and the annual meetings of the American Academy of Religion. She is a recipient of the Cogut Institute for the Humanities Graduate Fellowship for academic year 2025-2026. Her work has received support from the Judaic Studies Graduate Research Award in 2023 and 2025. Starting in July 2026, she will be Visiting Assistant Professor in the Department of Religious Studies at Brown.

“Nobody reads Ph.D. theses anyway!”  
— Emil Fackenheim, “Response to a Letter”

## PREFACE AND ACKNOWLEDGEMENTS

My grandfather, Sam Stern, was the first person to ever ask me, “Why did the chicken cross the road?” I remember my siblings and I doubled over with laughter at the dinner table, our small bodies falling out of our seats after hearing the punchline. In the many years that followed, I thought that my grandfather was the first person to ever ask that question to anyone. To this day, though long disillusioned by the origins of this common joke, I still believe that his wits and humor are supreme. I did not know it at the time, but that joke inaugurated me into a great tradition of joke-telling, a tradition that my grandfather participated in until the cancer took his voice away. But some of his jokes live on posthumously and through those who remember him. We buried him in one of his favorite graphic t-shirts, with the words: “I’m like the ocean, salty and full of trash.” Whenever I see a tern in the sky, I think of the punchline he delivered with glee: “No tern was left unstoned.” The back of his gravestone says “Gone Fishing.”

Born in Fürth, Germany in 1939, my grandfather, his mother, and his older brother survived the Riga ghetto and the Jungfernhof, Ravensbrück, and Bergen-Belsen concentration camps. My grandfather’s testimony of his survival of the Holocaust was filmed as a part of the USC Shoah Foundation’s Video Archives in 1996. The testimony was recorded in his living room, preserved in six tapes roughly thirty minutes each. There’s one moment in particular that stands out to me. At the end of the second tape, after my grandfather had just described the final days before liberation at Bergen-Belsen, the voice off screen asks him, “Through all of this time, in your first five years of life, did you ever have a toy?” My grandfather smiles and he takes his time answering. “Yeah. Bullet casings were toys. Hand grenades that hadn’t exploded were toys.” The interviewer then asks if he remembers the best meal he ate. He doesn’t. “Best?” he mocks. She then asks him if he remembers laughing, and he does, “many times.” “In Riga, I

remember falling out of bed, and I still bear the scar.” He points to the center of his forehead. “I hit my head on the cement floor. My mother picked me up and carried me out. Someone bandaged me and said ‘You’ll be okay’ and I laughed.” The tape ends soon after; the interviewer suggests that it’s time to take a break.

At the beginning of the third tape, the voice off screen reminds everyone—the viewer, herself, my grandfather—that they had been discussing memories of laughter. Something in my grandfather’s face and mind relaxes at the invitation to respond to this question. He looks away, collects his thoughts, and says, “Yes. Ravensbrück. I also remember laughing there. I remember laughing at getting the chocolate. It was the most wondrous gift. I remember horsing around with other children, and particularly when I was in the hospital.” He continues:

It’s an interesting question you ask about laughing. More likely than anything else, the years that we were together in the camps... I’ve spoken of horrific things, but I cannot imagine that there were not times that [were], I don’t want to say joyous, but I suspect they were. There were times when we had nothing but love and each other, so I’m sure that one could smile at that.

I smile when I watch these tapes. I smile because I miss my grandfather and it’s funny to see him look so young—his hair still brown and his face slim. And I smile especially at the moments where I can tell that he’s trying to make the interview just a little bit fun for himself, like at the very beginning when he spells out each name and place he references—for the record, presumably, but also apparently a game in spelling out loud: N-I-E-D-E-R-H-O-C-H-S-T-A-D-T.

My memories of my grandfather mostly involve laughter. Our laughter manifested most prominently through the two cherished rituals that defined our relationship: the jokes that sometimes didn’t land either because I’m too gullible (“Really?”) or because he didn’t tell them well, and the kepi kisses that always marked our goodbyes but that shape shifted as I grew taller

than him and as our lives changed in other meaningful ways. On a video call when I was away at college, he asked me to bow my head so he could kiss it through the computer screen.

My grandfather was the first comedian in my life, but my first real introduction to stand-up comedy was at Wellesley College, where my mom worked for nearly two decades. She would bring my siblings and me to the late-August orientation events that she had planned: barbecues and a cappella concerts, movie screenings and ice cream parties. For a few years in a row, orientation programming boasted a comedy night where a lineup of comedians performed for the new first-year class in a campus auditorium. I remember laughing until my face hurt at jokes that I was too young to understand, captivated by the performance and by the experience of belonging to an audience sharing in laughter. It was around this time that I also began to learn about the Holocaust and what it meant to my family. In this sense, I think, it's fair to say that my Holocaust consciousness and my comedic consciousness developed in tandem. And in the same way that I originate stand-up comedy with Wellesley College orientation, I likewise do not have a memory of what I understood the Holocaust to be before my grandfather told us the story of his survival.

This project holds many parts of me, and in many ways, it is representative of a life of learning that took root prior to graduate school, and that was formed outside of institutional spaces. My grandfather—a teacher also by profession—taught me the joys in being a student. I write in the dissertation about humor as a form of education and a way of relating to and experiencing the world. I know my grandfather would have co-signed that claim. After all, I credit a comedic encounter with leading me to the academic study of religion. The summer before my senior year of high school, a cashier at a grocery store said to me from behind the register: “My friend was admitted to a psych ward for thinking he’s God and he was just released

for proving it.” Was the cashier reporting something that had actually happened? Or maybe, was he a budding stand-up, trying out new material on his customers when business was slow? For this interpretation, it would be helpful if I could remember how I had responded. But no matter his intentions, the cashier’s words affected me, and led me, eventually, to Religious Studies courses in college.

I can’t remember, now, if I ever told my grandfather about this encounter, and I can’t pretend to know what he might have said in response. He was a predictably unpredictable man, who once joked to me (or was it a reprimand?): “You know by now that I have a weird mind.” Knowing his mind has been one of life’s many gifts to me, and one of the strongest influences on my own thinking. On one fishing trip a few years ago, we weren’t having much success, but it was a beautiful day on the water and being together was more important than catching fish. My grandfather exhaled and said to me, “I could learn to love this life.” “Don’t you already?” I responded. “Yes,” he said, “but I could continue to learn.” I dedicate this dissertation, with all of my love and no assumptions, to him.

My deepest thanks goes to the committee—Paul Nahme, Stephen Bush, Bonnie Honig, and Molly Farneth—for conversation, guidance, and inspiration. I hope they each see their influence reflected in these pages. Thanks especially to Paul, Steve, and Bonnie for invaluable time in the classroom during my coursework at Brown. Paul has been my advisor since I arrived at Brown. Brief check-ins during pandemic-era Zoom turned into long sessions in cafes discussing texts and, eventually, this dissertation. Through these long years, his confidence in my work never wavered. It has been a joy getting lost in the weeds of theory with him.

And Steve has always been there to tell me when to emerge from the weeds and look at the bigger picture. He has been an insightful mentor who models the best of clear and critical

thinking. I thank him for saying to me, “It’s just a dissertation,” which was exactly the message I needed in the final weeks of writing.

Bonnie is a contagiously exciting thinker. Conversations with her always energized me and left me with a clearer vision for my work. Her Language and Politics seminar introduced me to performativity, which changed how I think about, quite possibly, *everything*. I am so grateful for her attention and investment in this project.

But this project, I am certain, would not exist at all without Molly’s wonderful book, *The Politics of Ritual*. I thank her for her own scholarship and for her interest in mine. I am lucky to be in her intellectual orbit.

Thanks as well to other faculty in the Religious Studies Department, especially Mark Cladis, Tal Lewis, and Andre Willis, who all have been great teachers throughout my time at Brown. Nicole Vadnais and Tina Creamer were massive supports. I hugely benefited from their institutional knowledge and daily kindnesses both big and small. Fannie Bialek has been a mentor for a decade. She is, undoubtedly, the reason why I decided to pursue a graduate degree in Religious Studies and she is always an exemplary model of scholarship and teaching. Emily Cosgrove likewise was a steady source of inspiration, advice, and encouragement. Our “study hangs” in St. Louis, Boston, and Providence are some of my fondest memories together. Conversations with Laura Levitt and Ravit Reichman were essential to my thinking and also lovely ways to spend some time.

I have been so fortunate to have my family nearby throughout graduate school. My parents, Alan Stern and Lori Tenser, and my siblings, Reuben and Jeremy Stern were much-needed supports. The dinner table, seated next to them, is still my favorite place to laugh. The first dissertation defense I ever attended was my mom’s. Her support has been unmatched in love

and confidence. Colin Hogan has been, among other wonderful things, my personal and on-call thesaurus. His excitement for my work often kept me going, and he also gave me the best reasons—and reminders!—to take breaks.

This project was unimaginable without my friends, who have been my favorite thought partners throughout a process in which I often faced challenges in my thinking. My dear friends and comrades in all things PhD—Alberto Alcaraz, Alex Algaze, Nick Andersen, Damali Britton, Nicole Collins, Alex Contreras, Tara Dhaliwal, Jessie Falk, Zohar Gitlis, Jen Greenberg, Lise Miltner, Chandler Morris, Lucy Onderwyzer-Gold, Sofia Vidotto, Donnell Williamson, Chris Yang, Carol Ze-Noah and others—have kept me company during a very lonely endeavor. It is impossible to overstate how much they mean to me. In particular, I'd like to thank Ayantu Megerssa, a brilliant scholar, teacher, and friend whose impact on this project, and on my thinking in general, is immeasurable. And also Max Foley-Keene, who has been the best teammate.

The Factory Heads nourished me with delicious company and cheesecake. The Taber Girls became like family. Thank you to everyone else who has made Providence feel like home: Max and Zoe Goldenberg-Hart; Jessina Leonard, Austin Wilson, and Eamon Leonard-Wilson; Mikail Berg, Liz Chin, and Micah and Isaac Berg; Leah Shaw, just around the corner; Pam, my dental hygienist; and Angie who cuts my hair.

Finally, much of this dissertation came into being in my head on my daily walks to and from Brown's campus. I'd like to thank the streets where so much of my thinking took place: Angell, Cooke, and George.

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## INTRODUCTION HERE'S TO FAILURE!

In Mel Brooks' 1967 film *The Producers*, Max Bialystock and Leo Bloom run off to a bar across the street from the theater where the debut performance of their musical, *Springtime for Hitler*, is astounding the audience. These scheming Broadway producers have deliberately picked the “wrong” play, the “wrong” director, and the “wrong” cast under the assumption that they could make more money on a flop than on a hit production. The playwright is a Nazi, still emotionally attached to his homeland, his Führer, and his army helmet; the director, a flamboyant Roger De Bris, whose productions rarely ever make it to the main stage; and in the role of Hitler is Lorenzo St. DuBois, or, LSD, who wears jewelry made of soup cans and sports a general hippie disposition. The producers' plan is working, or so they think: they have produced a show so bad that it is guaranteed to fail. So after buying a round of drinks for everyone in the bar, Max and Leo make a toast: “Here's to failure! To Failure!”<sup>1</sup>

I open the dissertation with this scene because the producers' toast sits at the nexus of the three seemingly disparate literatures that this dissertation brings together: ritual studies, performativity, and Jewish memory, and the toast also celebrates the project's thematic throughline: failure. The producers' toast to failure is a performative act, by which I mean, an act in which saying something is doing something. To make a toast is to say, “Here's to...” or, “Cheers!” or even to announce, “I'd like to make a toast.” Philosopher of language J. L. Austin

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<sup>1</sup> *The Producers*, directed by Mel Brooks (1967; Embassy Pictures).

coined the term performative in his mid-century lectures appropriately titled, *How to Do Things With Words*. The lectures promote a distinction between constative speech and performative speech. For Austin, a constative utterance is a statement that can be evaluated as either true or false, which is often, but not always, a description of something. A performative utterance, on the other hand, is an utterance in which the saying of the utterance is the doing of an action. For example, to issue a promise or an apology is to say “I promise” or “I’m sorry.” In this way, performatives can be understood as inaugural: they can occasion new situations and relations, as in Austin’s example of a marriage ceremony in which the utterance “I do” effectively produces a new union. Yet performatives may also work to maintain a normative environment: calling attention to and reaffirming hierarchies and social roles already in place, as in a judge’s “Order!” which upholds the conventional drama of the courtroom while also calling the court into session.

Rather than evaluate performatives as true or false—the adjudicative criteria applied to constatives—Austin instead judges them as successful or unsuccessful. He outlines numerous rules that performatives must follow, and any violation, he says, is a sin that may condemn a performative to failure. His application of the terms *felicitous* and *infelicitous* to a performative’s success invoke affective feelings of happiness or satisfaction with a performative gone right, and affective feelings of unhappiness and disease with a performative gone wrong. Shoshana Felman thus interprets Austin’s metrics for performative judgment as “criteria of desire,” as she reads a sense of satisfaction in his language around performative success. Failure or infelicity thus implies a “lack of satisfaction.”<sup>2</sup> If felicity is a *desirable* judgment, then it would follow that infelicity is an *undesirable* one. But most importantly for Austin’s performative theory, as I read it, is that all performatives are always at risk of the possibility of going wrong: he claims that

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<sup>2</sup> Shoshana Felman, *The Scandal of the Speaking Body: Don Juan with J.L. Austin, or Seduction in Two Languages*, (Stanford, CA: Stanford University Press, 2002), 74.

“infelicity is an ill to which *all* acts are heir which have the general character of ritual or ceremonial, all conventional acts.”<sup>3</sup> But, as I will argue in chapter one, the humor in Austin’s examples, specifically in examples of performative infelicity, suggests that there are at least two readings of rule-breaking in Austin: a tragic one that makes recourse to the rules already in place and a comic one that laughs at the fragility of the normative standard.

This project makes its main contributions in the more recent performative turn in ritual studies—the application of J. L. Austin’s performative theory to ritual acts. This move understands ritual acts as having influence over our world: in changing or maintaining our conventional social order, norms, and relations. But as I will show, ritual and performativity have always seemed to go together. Many of Austin’s examples of performative speech acts are also ritual acts: he writes about weddings and baptisms, and he even describes the activity of issuing an apology as going “through the ritual of apologizing.”<sup>4</sup> Conversely, the uptake of Austin’s concept has further enmeshed ritual with performativity. Judith Butler, for example, has referred to performativity as a “ritualized production.”<sup>5</sup> And Molly Farneth writes that “[l]iturgical language is often performative, as when it hails its auditors and commands their attention or action.”<sup>6</sup>

So work in religious studies on theory of ritual has turned to Austin to argue that rituals are performative acts. This move comes on the tails of work in performance studies and in gender and queer theory in applying performativity beyond the speech act to corporeal and social concerns.<sup>7</sup> But, as this dissertation argues, work in ritual studies that takes up Austin’s

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<sup>3</sup> J. L. Austin, *How to Do Things With Words*, (Cambridge, MA: Harvard University Press, 1975), 18-19.

<sup>4</sup> J. L. Austin, *Philosophical Papers*, ed. by J. O. Urmson and G. L. Warnock (New York: Clarendon Press, 1979), 246-247.

<sup>5</sup> Judith Butler, *Bodies That Matter* (New York: Routledge, 2011), 60.

<sup>6</sup> Molly Farneth, *The Politics of Ritual* (Princeton, NJ: Princeton University Press, 2023), 91.

<sup>7</sup> For example, see Judith Butler, *Gender Trouble*, (New York: Routledge, 2007); Eve Kosofsky Sedgwick, “Queer Performativity: Henry James’s *The Art of the Novel*,” *GLQ*, vol. 1, pp. 1-16 (1993); and Shoshana Felman, *The*

performativity does not give serious attention to ritual failure, even as Austin's doctrine of infelicity—"the things that can be and go wrong on the occasion of [performative] utterances"—provides the necessary tools for an analysis of failure in ritual.<sup>8</sup> Instead, performative approaches to ritual mainly assume that ritual always goes right, or, if it doesn't, that the ritual system knows how to preserve its norms in the face of error, disruption, and the like. This has meant that ritual failure, and the promises it may carry, have gone ignored. What does ritual studies miss about ritual in this theoretical investment?

This is a dissertation about ritual. The project critiques and recovers ritual theory's uptake of performativity. Through this work, I develop a performative account of ritual failure. The stakes of this work are twofold: first, I ask what is happening in ritual studies' turn to speech at theory. One consequence of this move, it seems, is to protect ritual against its own fragility by interpreting aberrations from convention as extraordinary cases, when they might really be as ordinary as cases that conform to convention. But aberrations don't seem to be getting much attention at all, as success is presumed when we talk about ritual. Failure, then, is construed as a nonissue that can be dismissed as such, or, in other cases, narrated as a tragedy that calls for remediation to the pre-existing rules—aberrations preordained to failure. And on the other hand, similarly to the presumption of success that rules over ritual theory and the tragic narratives that may result, there is also a presumption of tragic representation that dominates our understandings of memory and history—particularly in relation to representations of the Holocaust. So second, therefore, I ask how unsettling the norms that govern our narrations of Jewish suffering and survival might open up instances of failure into sites of ethical and political possibility. I turn

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*Scandal of the Speaking Body: Don Juan with J. L. Austin, or Seduction in Two Languages*, (Stanford, CA: Stanford University Press, 2003).

<sup>8</sup> Austin, *How to*, 14.

toward the framework of genre, as ritual acts and historical events are narrated through genre, to investigate these questions. I work with examples that involve instances of failure—examples which are ultimately revealed to be both exceptional and ordinary.

The project attends to what I see as presumptions of success and seriousness in ritual theory and Holocaust memory projects. These presumptions do not come out of nowhere. If doing ritual correctly were not a value of ritual practice, then there maybe would be no discernible thing called ritual! It matters that there is a shared script, and that ritual acts are recognizable as such—to members internal and external to the group. Felicitous ritual performance is generally to be expected, as ritual norms are widely known and shared. But I argue that the risk of failure is an ordinary and constitutive feature of ritual practice: if felicitous performance were always guaranteed, then there would perhaps be no need for communities to enact rituals. In other words, ritual happens through the process of ritualizing, and, like performatives in which felicity is determined after the fact, a ritual's effects are not necessarily known until the act is completed (and maybe not even until much later). In chapter three, with Ronald L. Grimes, I suggest that all ritual is on an improvisational spectrum that runs from fully scripted on one end to live composition on the other. And in chapter two, with Austin, I argue that variation in ritual is not a certain claim to infelicity. My attention to ritual failure emphasizes both the high value of doing ritual right *and* it uncovers the ordinary risk of failure that constitutes all ritual practice.

But ritual failure may also call our attention to extraordinary contexts. For Austin and his interpreters, the world of performativity is composed of acts of failure and wrongdoing (for Felman, acts of failure *make* history, because history is made up of performative speech acts, which are constituted by the possibility of failure), but its normative frames remain intact. For

example, I write in chapter two about a failed marriage ceremony that, though its failure, still upholds marriage as the normative standard. In this example, a failed act reinforces the successful ones that came before and the ones that are assumed to follow. Throughout the dissertation, I work with examples, however, in which the normative frames that once provided meaning and structure to ritual life have broken down: chapter two concerns a Yom Kippur observance in Auschwitz and chapter four concerns the ritualizing of a Jewish comedian-turned-dybbuk who is trapped inside the Nazi who killed him. In these cases, when the context that a ritual requires in order to succeed or to fail in an intelligible way is lost, then conventional understandings of success and failure no longer make sense. Where the playground wedding reinforces the wedding at city hall, we will see that, in other cases, a failed ritual can *change* the contours of a successful one because the normal ritual context is no longer available. What happens to a ritual system when the world that scaffolds its meaning is gone?

Concerned with Holocaust memory efforts, this project spans distinctive historical moments that grapple with questions of remembrance, representation, and thought. How should we remember the horrors of the Holocaust? How ought we represent an unrepresentable event? What concepts and practices do we have to make sense of our worlds? What remains of life before, and what has been lost? These questions, like the event they respond to, are ongoing, and this dissertation does not purport to answer them. Rather, this project engages critically with various responses to these questions. As we will see in chapter two, in the same year that *The Producers* opened in theaters, Emil Fackenheim presented a 614th commandment: that “*the authentic Jew of today is forbidden to hand Hitler yet another, posthumous victory,*” which I read as a catastrophizing move that upholds tragedy as the orienting principle of post-Holocaust

Jewish life and thought.<sup>9</sup> And in chapter three, the USC Shoah Foundation's Dimensions in Testimony initiative created a virtual witness that can offer "conversation-like" narratives of survival after there are no more Holocaust survivors to deliver their accounts first-hand. In mistaking memory for a controllable algorithm, Dimensions in Testimony likewise orients 21st-century remembrance toward the tragic past. But returning again to the consequential 1967, chapter four takes up Romain Gary's comedic novel *The Dance of Genghis Cohn* that I read as an invitation to re-genre our relationship to the Holocaust in service of the future.

Max and Leo's toast to failure occurs toward the end of a film that represents Holocaust memory through a comedic lens. The producers hope that a Broadway flop will bring them financial success, scamming investors to pocket the cash. But their plan backfires, and *Springtime for Hitler* is unexpectedly felicitous (successful but not in the way that they had planned): the audience receives the musical as a sharp satire of Hitler's reign in which the great dictator is represented as a pathetic man. But their inadvertent success then turns into their demise: they are tried in court and found guilty for their theatrical scam. Their remorse (if they had any) doesn't last long, however, and the film concludes with Max and Leo running another version of the same scheme from prison.

The interplay of failure and success in the context of the film's plot comments on, I think, the interplay of failure and success in our historical and memorial projects. Max and Leo's toast importantly is made to *failure*, which celebrates failure as something worth toasting to. So in highlighting this scene specifically, I emphasize failure as a central concept in memorial and ritual practice. Saidiya Hartman's work on critical fabulation teaches us, among other things, that

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<sup>9</sup> Emil Fackenheim, "The 614th Commandment" from "Jewish Values in the Post-Holocaust Future: A Symposium," *Judaism* 16 (Summer 1967).

history is a performative project.<sup>10</sup> History may present itself as constative—transmitting happenings and facts without mediation, but it influences how we understand our world and what we act on in turn. It shapes our reception of it. That is to say, history does not exist independently of historical actors; history is a *doing*. Memory, too, is a performative project—provisional, fallible, miraculous. The relationship between history and memory has long preoccupied Jewish thought. For some thinkers, history and memory are in opposition; this is Yosef Hayim Yerushalmi's position that we will see in chapter three. And for others, the distinction calls for collapse (David Myers) or triangulation (Amos Funkenstein). Thinking with these debates, this dissertation thinks of Holocaust memory *performatively*, which advocates for our memorial practices and our understanding of history remaining open to change. As a film that takes a comedic approach to remembrance work, *The Producers* asks us to consider: What does it mean to memorialize the Holocaust through different genres? How do our historical narrations relate to our political realities? What kinds of worldviews grow out of the stories we tell?

*Ritual Failure and the Politics of Jewish Memory* is thus a theory and methods project—putting into conversation texts and thinkers from religious studies, ritual theory, philosophy of language, film and media studies, literature, philosophy, and political theory. It is also importantly a Jewish thought project—taking its examples from Jewish cultural memory. I see the dissertation making four main interventions in existing scholarship in ritual studies. First, I argue that a performative account of ritual must meaningfully contend with failure. As I will show, work in ritual studies that turns to performativity does not emphasize failure as a constitutive feature of ritual activity, and work that does talk about failure in ritual does not approach it through a performative lens. But Austin's doctrine of infelicity asserts that all acts

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<sup>10</sup> Saidiya Hartman, "Venus in Two Acts," *Small Axe*, vol. 12, no. 2, pp. 1-14 (2008).

are at risk of going wrong which means that the possibility of failure is constitutive of performative acts. Applying this frame to ritual, I argue that failure is an essential feature of all ritual enactments, and, indeed, that the risk of failure makes ritual acts meaningful. Rituals understood as performatives therefore must attend to failure.

We learn of failed rituals because they are narrated to us—by the ritualists themselves, other participants or observers, or the scholars who write about them. My second intervention thus brings in the question of genre to the performative turn in ritual studies and my own work on ritual failure. In the existing literature, failed rituals are nearly always treated as trivial (dismissed as unimportant to the study of ritual) or as tragic (calling for a fix in accordance with the ritual's pre-existing rules). The consequence of these accounts is that ritual failure is conceptualized as an extraordinary occurrence, when, as I argue, failure is an ordinary risk of ritual understood as a performative practice. With Hayden White's concept of emplotment, the project thus develops a double frame that I call *narrativizations of ritual* and *ritualizations of narrative* to explain how our understandings of ritual failure are informed by the modes and moods through which they are explained and also how certain kinds of narratives can take on ritual-like qualities, i.e. how narratives themselves become ritualized. These theorizations ask us to consider ritual narratives as acts of storytelling—performatively supporting and developing worldviews. For White, emplotment describes what a story *means* through the process of identifying *what kind* of story has been told. Tragedy and comedy, for example, are just two modes through which a story can be narrated. What matters with White's emplotment, and a point that I stress throughout the dissertation, is that the same story can be narrated in more than one way, which means that the same story can take on different meanings with different emplotments.

A tragic account of ritual failure construes aberrations as accidents or disruptions, often problematic to ritual, that demand retroactive fixing and/or proactive protections. But a comedic account of ritual failure makes way for improvisation and play and failure to be treated as salient features of all ritual activity. If tragic arguments make recourse to the rules that were broken, then comedic ones take root in the breaking of the rules. This work on genre is not to pit tragedy and comedy against each other as two opposing or incompatible explanatory modes. Nor is it to offer comedy as the liberatory solution to our more tragic tendencies. Comedy, of course, can be a conservative or regulatory tool for disciplining behavior, and there are emplotments that blend both tragedy and comedy together. Rather, it is to critique the norms around narratives of ritual failure that favor tragic accounts at the expense of other emplotments. For example, Kathryn McClymond in *Rituals Gone Wrong* argues that “ritual correction is the lifeblood of a robust ritual system. Without the ability—and the will—to correct ritual mistakes, ritual systems expire or, at the very least, diminish their influence.”<sup>11</sup> This view of ritual *incorporates* the ever-present risk of failure into the stylized life of ritual activity. But a performative approach to ritual that is attuned to genre can also help us recognize provisionality and contingency and risk as promises of rather than threats to ritual activity.

So thirdly, this focus on genre makes way for a re-reading of Austin in ritual studies, in which his humor is taken seriously as a feature of his philosophy. Other scholars have written on Austin’s humor. Stanley Cavell, for example, calls him “seriously playful.”<sup>12</sup> Cavell argues that “ways of reading [Austin] that ignore his playful ‘manner’ are ignoring something essential to his philosophical seriousness.”<sup>13</sup> Sean Zwagerman similarly reads *How to Do Things With Words*

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<sup>11</sup> Kathryn McClymond, *Rituals Gone Wrong: What we Learn from Ritual Disruption*, (New York, NY: Oxford University Press, 2016), 174.

<sup>12</sup> Stanley Cavell, “Forward,” in Felman, *Scandal*, xi.

<sup>13</sup> Cavell, “Forward,” xv.

as a dramatic text that “*humorously perform[s] failure*.”<sup>14</sup> For Zwagerman, Austin’s philosophy methodologically performs its claims. In Austin, going wrong may be tragic, as is evidenced by the language he uses to describe performative failure: in Austin’s terms, a performative gone wrong is described as *unhappy*, *infelicitous*, an *ill* or a *sin*. But failure may also be comic, as is evidenced by the humor in his examples and by what Felman reads as a kind of pratfall philosophy—a philosophy made up of comical mistakes and reconciliations.<sup>15</sup> Austin’s performativity may be best described, then, as tragicomic—incorporating both tragedy and comedy. This work pushes ritual studies to approach ritual failure from various perspectives. It is not to get rid of tragic interpretations of ritual failure; there are, of course, cases in which a ritual gone wrong is best understood as a tragedy. But it is to call attention to the domination of tragic emplotments in both performative and ritual failure.

As I have suggested above, for Austin, failure is ordinary, but there are instances of ritual failure—some of which I work with in this project—that cannot be apprehended by ordinary terms. So the last main intervention of the project is to ask ritual studies to consider ritual failure in extraordinary contexts. This work moves performative approaches to ritual failure beyond Austin. I find a resource in another philosopher—Jonathan Lear—for whom I argue, like Austin, ritual is central to his philosophy. Lear is helpful because his theorizing takes place from what he calls *crises of intelligibility*: when “the concepts and categories by which the inhabitants of a form of life have understood themselves—their acts, projects, and ideals—cease to make sense as ways to live.”<sup>16</sup> Where Austin’s ordinary language philosophy takes normative frames and

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<sup>14</sup> Sean Zwagerman, *Wit’s End: Women’s Humor As Rhetorical and Performative Strategy* (Pittsburg, PA: Pittsburg University Press, 2010), 143.

<sup>15</sup> On the relation between humor, falling, and failing, see Felman, *Scandal*, and Zwagerman, *Wit’s End*. I return to this point in chapter one.

<sup>16</sup> Jonathan Lear, *Wisdom Won From Illness: Essays in Philosophy and Psychoanalysis* (Cambridge, MA: Harvard University Press, 2017), 50-51.

procedures for granted, Lear's ethics concerns ritual contexts in which the meaningful norms that informed them have been destroyed. Yes, Austin's performativity accounts for contingency, variation, and infelicity. But Lear helps us think about a more radical conception of ritual failure in which infelicity is *good* for ritual life and necessary for a ritual *future*.

In this dissertation, I offer another way to do performativity in ritual theory, a theoretical relation that meets the outcasts where they are, rather than one that incorporates them into the power structures that cast them out. If a ritual gone wrong prefigures a possibility, then inclusion could be an easy satisfaction or a betrayal, and an interpretation that takes issue with the doing of the act rather than the context that conditioned the act to failure. This dissertation, then, critically recovers ritual theory's turn to performativity as one way to critique conventional norms that govern the narrations of Jewish history and memory.

The ethical and political implications of this project have found renewed urgency in recent years, as the Holocaust gets invoked in service of diverse and often incompatible political goals. The project's engagement with genre helps to access the affective moods and explanatory forces of narratives that generate out of and participate in particular worldviews. For example, in the case of ritual failure, we might imagine a tragic narrative in which an aberration from the rules of the ritual is narrated as something that is bad for the ritual system, and the narrative therefore advocates for remediation to the pre-existing rules. In chapter three, I work with an example from J. Z. Smith's essay "The Bare Facts of Ritual" in which a priestess refuses a request from mule drivers for a drink from sacred vessels for fear that the act would then get incorporated into the ritual procedure.<sup>17</sup> But we might also imagine a more comedic narrative in which the ritualists find humor in their mistakes or in which the aberration results in something

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<sup>17</sup> Jonathan Z. Smith, "The Bare Facts of Ritual," in *History of Religions*, vol. 20, no. ½ (1980).

unexpected. Smith provides another ritual narrative in which leopards drink from a temple's sacrificial chalices so often that the animals' thirst gets incorporated into the ritual ceremony. In the first story, the priestess protects the ritual from aberration, and in the second, the ritual is changed by aberration.

And on the other hand, other-than-tragic narratives of the Holocaust are typically regarded as inappropriate, unserious, or as a failure to faithfully represent the event. Terrence Des Pres criticizes the "fictions" that govern our Holocaust thinking, writing, and memorializing. The fictions are:

1. The Holocaust shall be represented, in its totality, as a unique event, as a special case and kingdom of its own, above or below or apart from history.
2. Representations of the Holocaust shall be as accurate and faithful as possible to the facts and conditions of the event, without change or manipulation for any reason—artistic reasons included.
3. The Holocaust shall be approached as a solemn or even a sacred event, with a seriousness admitting no response that might obscure its enormity or dishonor its dead.<sup>18</sup>

Des Pres articulated these fictions in 1988, but they still apply today, as Holocaust humor is still generally considered taboo.<sup>19</sup> The criteria uphold the Holocaust as an incomparable, sacred event and they foreclose comedic representations which Des Pres finds problematic because the restrictions constrain our responses to the Holocaust. He writes that "tragedy's serious style" compels us "to a standstill by the matter we behold."<sup>20</sup> In chapter two, I diagnose Fackenheim's Zionist politics as tragic: demanding a fixity to the tragic past and foreclosing a future that is not

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<sup>18</sup> Terrence Des Pres, "Holocaust *Laughter?*," in *Writing and the Holocaust*, ed. Berel Lang, (1988), 217.

<sup>19</sup> A 2020 volume on Holocaust humor, *Laughter After*, surveys contemporary examples of Holocaust humor, like the recent release of previously unpublished jokes from Anne Frank's diary, a Larry David *Saturday Night Live* Monologue, and the roast of Anne Frank on Netflix's *Historical Roasts*, whose reception conveys "a certain kind of discomfort that persists" with comedic representations of the Holocaust. David Slucki, Gabriel N. Finder, and Avinoam Patt, "To Tell Jokes After Auschwitz is Barbaric, Isn't It?" in *Laughter After: Humor and the Holocaust*, ed. David Slucki, Gabriel N. Finder, and Avinoam Patt (Detroit, MI: Wayne State University Press, 2020), 4. I work more with this text in chapter four.

<sup>20</sup> Des Pres, "Holocaust *Laughter?*," 232.

fully determined by that tragic past. In this way, Fackenheim's worldview and his post-Holocaust thought are co-implicated. In the chapter, I offer a re-narration of a story he tells about a Yom Kippur observance in Auschwitz that takes place on the wrong day to show that these tragic political commitments are not pre-ordained. I argue that a richer, more robust practice of memory may develop when we break out of the presumptions of tragedy and seriousness that overshadow our thinking, writing, and remembrance. Theorizing ritual failure *performatively*, we can attend to contexts that confront us with a world in which breaking ritual's rules may be the best expression of fidelity to them, and we can see ordinary ritual practice in a new light.

So what other lines of inquiry do narratives of failure—and failures of narrative—open up? I do not advocate for getting rid of conventional narratives altogether, but I do question their stronghold on how we imagine our religious, political, and ethical lives. Perhaps we need more mistakes, more laughter, more messiness, more uncertainty. In this dissertation, I argue that a new take on performativity in ritual theory—one that takes examples of failure seriously, and as a starting point—may offer a picture of ritual that better represents its impulse to expand, improvise, or go wrong, and a picture of Holocaust memory that better embraces its performative and fallible dimensions. In a word, the dissertation endeavors to find out what happens to ritual when we toast to failure.

### *Chapter breakdown*

Chapter one develops a performative theory of ritual failure. I argue that performative accounts of ritual must contend with failure, especially since Austin's performativity gives us the

tools to do so and because Religious Studies needs this supplement. My focus on genre allows for a re-reading of Austin that acknowledges the humor that is foundational to his philosophy. In contrast to strictly serious uptakes of his performativity, a comedic reading of Austin makes way for a narration of ritual failure as other than trivial or tragic. But I also argue that if we are in search of a performative account of ritual failure in which failure is something productive for the future of ritual life, then we need to look beyond Austin. I bring philosopher Jonathan Lear and his concept of radical hope into ritual studies. Chapter four will develop this argument in the context of ritual practice that takes place during a breakdown in normal life.

Chapter two takes as its main example a story that Emil Fackenheim tells at the end of his 1982 *To Mend the World* about a Yom Kippur in Auschwitz that was observed on the wrong day. But rather than dismiss this Yom Kippur observance as simply a failure to follow the rules of the ritual, Fackenheim instead interprets the act's deviance as wielding power to effect theological and political change. "If the prayer that was in that fast was not heard, then no prayer on any Yom Kippur was ever heard, or could be heard," he writes. "*Their* Yom Kippur necessitates a change in *our own*."<sup>21</sup> What is at stake, for Fackenheim, in interpreting this Yom Kippur as one that wields power to effect change? Is the failure a part of the power of this Yom Kippur observance? What is the meaning of the right words uttered on the wrong day? This chapter takes up Fackenheim's story to argue that the story be theorized both as a narrative of ritual and also as a ritual of narrative, which brings focus to how we write about ritual *and* to how our writing takes ritualized forms. I argue that, through his use of the Yom Kippur story, Fackenheim figures the Holocaust as the authority and command of Jewish survival. I diagnose the worldview that feeds into and develops out of this narrative as tragic. But with this same story of

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<sup>21</sup> Emil Fackenheim, *To Mend the World: Foundations of Post-Holocaust Jewish Thought* (Bloomington, IN: Indiana University Press, 1982), 322.

a ritual gone wrong, we can also uncover the possibility of a different narration: one that decenters tragedy from the Jewish experience and centers instead the persistence and resistance of Jewish ritual in the face of catastrophe.

In chapter three, I turn to the example of the virtual witness from the USC Shoah Foundation Dimensions in Testimony project—a new project that responds to the concern about what Holocaust remembrance will look like when there are no longer any living survivors to deliver their accounts first-hand. Dimensions in Testimony has turned living survivors into eternal, virtual witnesses, capable of conversation-like speech with human actors. The project conducted extensive interviews with “Holocaust survivors and other witnesses to genocide” so that “[n]ow and far into the future, museum-goers, students and others can have conversational interactions with these eyewitnesses to history to learn from those who were there.”<sup>22</sup> When I first learned about Dimensions in Testimony, my very first question was: *Can they tell jokes?* I had been thinking about the domination of tragic moods and sensibilities in narrations of the Holocaust and what allegiance to a single genre of representation might foreclose from our historical understanding and memorial practices. What kinds of stories do the virtual witnesses tell, I wondered, and what kinds of memorial narratives do they participate in?

This chapter thinks about what it means to take these virtual witnesses seriously as witnesses to genocide, their testimonies entering (perhaps disrupting) our post-Holocaust landscapes of collective memory and history. And I suggest that an engagement with Dimensions in Testimony should be situated within enduring conversations that have long preoccupied Jewish thinkers about the relationship between history and memory—whether figured as opposing projects, joint forces, or otherwise. Particularly in the wake of the Holocaust, historians

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<sup>22</sup> “Dimensions in Testimony,” USC Shoah Foundation, University of Southern California, last modified 2026, <https://sfi.usc.edu/dit>.

and theorists alike have asked what it means for a major component of the historical archive—testimony—to rely on what Primo Levi has called a “suspect source.” Critiquing J. Z. Smith’s perfectionist definition of ritual and engaging Yerushalmi’s distinction between Jewish history and Jewish memory, I read the virtual witnesses as spectral figures that carry out a particular genre of Holocaust memorialization: one that operates predominantly in the tragic mode. Attending to improvisation in ritual, as I do in this chapter, resists memorial projects that foreclose openness to the future by remaining trapped in the past they seek to represent.

In chapter four, I turn to the character of a fictional dybbuk from Romain Gary’s 1967 novel, *The Dance of Genghis Cohn*, in which a comedian killed in Auschwitz returns as a dybbuk to haunt the Nazi guard who yelled “*Feuer!*” This move makes an intentional shift in figure and in genre: from virtual witness to dybbuk, and from tragic to comic. The chapter also shifts in theoretical partner: from J. L. Austin to Jonathan Lear. Where Austin’s performative frame depends on meaningful norms remaining in place, Lear begs the questions: what if there are no more meaningful norms? In the face of catastrophe, what is left of ritual? I argue that Gary’s novel offers a view of ritual in which a failed act carries a hope for a possible future. Genghis Cohn is an unlikely ritualist—he can only observe Shabbat and dance the hora in the body of his Nazi murderer—and an unlikely custodian of Jewish memory—he makes jokes and fears documentation. But I read him as a figure who enacts what Lear calls radical hope: a hope “directed toward a future goodness that transcends the current ability to understand what it is.”<sup>23</sup> In *Radical Hope*, Lear argues that an empty, futile gesture can be hopeful; that a failed ritual is still ritual and can be necessary for making a ritual future possible. These shifts amend the performative turn in ritual studies—inviting ritual studies to cast a wider frame and inviting Lear

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<sup>23</sup> Jonathan Lear, *Radical Hope: Ethics in the Face of Cultural Devastation* (Cambridge, MA: Harvard University Press, 2006).

into the field. With Lear, ritual studies may better grapple with the performativity of ritual in extraordinary contexts.

## CHAPTER ONE

### TOWARD A PERFORMATIVE THEORY OF RITUAL FAILURE

“Religious studies generally, and ritual studies in particular, typically ignore rites that do not do what they are purported to do.”

— Ronald L. Grimes, “Infelicitous Performances and Ritual Criticism”

“...there are disadvantages in being excessively solemn...”

— J. L. Austin, *Philosophical Papers*

In *Ritual Theory, Ritual Practice*, Catherine Bell notes that “despite the variety of avowed methodological perspectives and ramifications, there is a surprising degree of consistency in the descriptions of ritual: ritual is a type of critical juncture wherein some pair of opposing social or cultural forces comes together.” Some such examples, she writes, “include the ritual integration of belief and behavior, tradition and change, order and chaos, the individual and the group, subjectivity and objectivity, nature and culture, the real and the imaginative ideal.”<sup>1</sup> Bell’s description of ritual’s integration of opposing forces presupposes that the ritual act in question is *successful*, as in, the act does what it is purported to do. But in the process, Bell also leaves out success and failure as another set of opposing forces that ritual brings together. Yet success and failure are upheld as normative criteria in performativity, so the presupposition of success and the absence of failure in ritual theory is especially pronounced in the field’s uptake of performativity. What are the effects of these conventions on our understandings of ritual?

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<sup>1</sup> Catherine Bell, *Ritual Theory, Ritual Practice* (New York, NY: Oxford University Press, 2009), 16.

This chapter builds toward a performative theory of ritual failure that I work with in the subsequent chapters of the dissertation. I trace the performative turn in ritual studies that takes up J. L. Austin's notion of performativity to explain how rituals change and influence our worlds. In *How to Do Things With Words*, against the philosophical assumption that saying means *stating*, Austin argues that sometimes to say is to *do*. Austin coined "performative" as a derivative of "perform" to capture the creative capacities of language.<sup>2</sup> Performative speech acts are judged as successful or not according to a set of rules. If a performative follows the rules, it is *felicitous* (happy) and if it breaks any of the rules, it is *infelicitous* (unhappy). In sum, a performative is felicitous if it *follows the rules* that govern its success, if it consists of conventional procedures that produce conventional effects, appropriate persons and circumstances, correct and complete execution, and participants who conduct themselves in accordance with conventional thoughts and feelings.<sup>3</sup> A performative's success also depends on its uptake, which introduces a difficulty in felicity judgments: we can never be certain what a performative's effects might be. As we will see, there is a presumption of felicity in performative approaches to ritual, which makes ritual infelicity into a marginalized or unimportant concept in ritual studies. But, for Austin, the possibility of infelicity is a constitutive feature of performative speech: "infelicity is an ill to which *all* acts are heir."<sup>4</sup> So there seems to be a blind spot in ritual studies concerning ritual acts that in some way go wrong—because the ritualists made an error, an outside actor or event interfered with the ritual performance, the act did not inspire the desired results, etc. Taking up Austin's infelicity, I argue that a performative approach to ritual is primed to understand failure as a constitutive risk of ritual practice. There is always a possibility that a ritual will fail. This

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<sup>2</sup> J. L. Austin, *How to do Things with Words*, (Cambridge, MA: Harvard University Press, 1975), 6.

<sup>3</sup> Chapter two provides a more in-depth analysis of Austin's rules.

<sup>4</sup> Austin, *How to*, 18.

possibility is a part of what makes doing ritual so meaningful, and why there are such high stakes for doing ritual right. But by focusing on instances and possibilities of failure, I uncover some performative dimensions of ritual that other accounts have missed: ritual's more irreverent inclinations to expand, improvise, or go wrong, and the potentially productive work of infelicitous acts.

The chapter begins by thinking through some problems with defining ritual, and why these problems are especially pronounced in a project concerned with ritual failure. I acknowledge that some readers might expect or desire a definition of ritual, and I explain why I hesitate to provide one. A performative account of ritual failure accomplishes something akin to Catherine Bell's performance approach, since both emphasize ritual practice over ritual definition. I then demonstrate that ritual is foundational to Austin's performativity and crucial to its uptake. But many performative accounts of ritual presume felicitous performance, and significant work on ritual failure does not take up performativity. My performative account of ritual failure aims to do the work that both of these approaches set the groundwork for but do not take up.

This chapter also brings the question of genre to ritual theory and performativity. Genre is key to this work because ritual acts are narrated to us and judgments about the success of an act are proffered after the fact in the form of a narrative account. As I will show, many readings of Austin overdetermine the trivial and the tragic in performativity, which is then translated into ritual studies' uptake of performativity, effectively rendering ritual failure as unimportant or problematic. Austin's language concerning performative failure is dispositionally tragic: infelicity is synonymous with unhappiness, a violation of the rules is a "sin."<sup>5</sup> There is thus an

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<sup>5</sup> Ibid., 15.

easy association of felicity with “good” action and infelicity with “bad” action. But this is not a fair representation of Austin. Chapter two will more clearly delineate this point, but for now, it matters that this reading of Austin—the one that promotes a picture of infelicity as only undesirable or harmful—sidelines other genres from association with infelicity by missing the other genres present in the text. And, concerning triviality, many of Austin’s examples of infelicitous acts are so unrealistic or inconsequential that they seem to suggest that infelicity doesn’t really matter. But there is humor, I argue, inherent in Austin’s absurdity. For example, calling infelicity a sin might very well be a joke. And Austin’s doctrine of infelicity is so central to his development of the performative that the possibility of going wrong is not just something that *can happen* in performatives, but something that actually *conditions* performative speech.

With my attention to genre, I provide a re-reading of Austin, in which triviality and tragedy are not the sole renderings of infelicity, but two modes—of *many*—through which to understand it. I focus specifically on Austin’s humor, which helps us to uncover comedic interpretations of ritual failure that give me space to think with improvisation and play and disruption in ritual. I then take up Hayden White’s notion of emplotment to explain how narratives of ritual failure take on different meanings with different genres. To recognize that ritual acts are emplotted is to recognize that there is no one single genre through which a narrative of ritual—failed or successful—can operate, and that different narrations produce and maintain different worldviews. I conclude by acknowledging the limits of Austin’s performative theory and I introduce the project’s later efforts to push a performative theory of ritual failure beyond Austin (without ever leaving him behind).

*A definitional problem?*

Bell takes issue with definitional approaches to ritual, which seem to run the risk of being either too narrow or too expansive. Attempts to define ritual, Bell argues, can easily become overwhelmed by categories and distinctions that can multiply to near meaninglessness, and they can also lose sight of what is meaningfully unique to ritual in distinct cultures and contexts. I add that in their quest for neatness and simplicity, definitions often fail to account for failure. For example, chapter three critiques J. Z. Smith's perfectionist definition of ritual that forecloses the potential for ritual change. Bell asks: "How can the distinguishing features of so-called ritual activities be approached without cutting ritual off from what it shares with social activity in general?"<sup>6</sup> Against definitional approaches that run into problems and limitations, she offers a performance approach to ritual.<sup>7</sup> Performance approaches in the study of religion focus on qualitative human action. "In the field of religious studies in particular," Bell writes, "the language of performance is usually invoked to counter the scholarly tendency to approach religious activity as if it were either a type of scriptural text to be analyzed or the mere physical execution of a preexisting ideology."<sup>8</sup> Bell thus opts for thinking in terms of the practice of *ritualization*. For Bell, ritualization is "a way of acting that is designed and orchestrated to distinguish and privilege what is being done in comparison to other, usually more quotidian,

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<sup>6</sup> Bell, *Ritual Theory, Ritual Practice*, 74.

<sup>7</sup> Bell writes that "the definitional approach to ritual loses sight of what may be the more useful questions that can be brought to bear on ritual activities of various kinds: Under what circumstances are such activities distinguished from other forms of activity? How and why are they distinguished? What do these activities do that other activities cannot or will not do?" Ibid., 70.

<sup>8</sup> Catherine Bell, "Performance" in *Critical Terms for Religious Studies* ed. by Mark C. Taylor (Chicago, IL: The University of Chicago Press, 1998).

activities. As such, ritualization is a matter of various culturally specific strategies for setting some activities off from others, for creating and privileging a qualitative distinction between the ‘sacred’ and the ‘profane,’ and for ascribing such distinctions to realities thought to transcend the powers of human actors.”<sup>9</sup> Ritualization focuses on modes of acting, or, on ways of *doing* ritual.

A performative approach to ritual is in some ways analogous to the move that Bell is making, as it focuses mainly on what ritual actors *do*. On this view, it seems nearly impossible to cohere ritual into a single definition. Different ritualists can do the same ritual differently, and various conditions can influence the way a ritual is done. Ritual is context dependent, and this is one crucial element that a performative approach helps us understand, as with Austin’s example of the performative utterance “There is a bull in the field” that can signal present danger or simple observation, depending on what the bull is up to, on where we stand, or on who says the claim.<sup>10</sup>

Austin outlines three forces involved in performative acts: locution, illocution, and perlocution. The locutionary force refers to the meaning of an act, the illocutionary force refers to what an act does, and the perlocutionary force refers to the impact of a performative on others, as intended or not by the performative act. Stanley Cavell observes that while Austin defines felicity for the locutionary and the illocutionary, he “does not go on to attempt to define felicity for the perlocutionary.”<sup>11</sup> In chapter three, I will argue that this is because the perlocutionary concerns the *effects* of an act regardless of intention, so there is something ungovernable about a performative’s perlocutionary force: even if the bull is charging at me from across the field, it still remains unclear if I will freeze or run. This means, in my performative account of ritual

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<sup>9</sup> Bell, *Ritual Theory, Ritual Practice*, 74.

<sup>10</sup> Austin, *How to*, 33

<sup>11</sup> Stanley Cavell, “Forward” in Shoshana Felman, *The Scandal of the Speaking Body: Don Juan with J.L. Austin, or Seduction in Two Languages*, (Stanford, CA: Stanford University Press, 2002), xix.

failure, that a ritual's effects seem to evade the success/failure barometer and that an infelicitous performance can still *do* something, even if whatever it does is antagonistic to the ritual procedure or totally unexpected. A failed ritual, this dissertation argues, can still generate something meaningful.

In his *Wit's End*, Sean Zwagerman offers a definition of the performative that highlights the perlocutionary. He defines the performative as “an act of communication, linguistic or otherwise, having a world-to-word—or world-to-symbol/gesture—direction of fit, toward some perlocutionary effect.”<sup>12</sup> Austin's failure to define felicity for the perlocutionary then opens up the perlocutionary as the site of performative possibility. Although I have argued against the disciplinary drive of definitions of ritual—definitions also fail in part because they fail to account for failure—Zwagerman's definition of the performative, with its emphasis on the perlocutionary, helps explain something important about ritual. Namely, ritual action is not guaranteed to be successful and meaning is not guaranteed to last. In other words, just as for performative speech acts, rituals are enacted provisionally and felicity is a belated judgment. This is why Judith Butler writes “that performativity cannot be understood outside of a process of iterability, a regularized and constrained repetition of norms. And this repetition is not performed *by* a subject; this repetition is what enables a subject and constitutes the temporal condition for the subject.” They continue, “This iterability implies that ‘performance’ is not a singular ‘act’ or event, *but a ritualized production, a ritual reiterated under and through constraint, under and through the force of prohibition and taboo*, with the threat of ostracism and even death controlling and compelling the shape of the production, but not, I will insist, determining it fully in advance.”<sup>13</sup> With Butler, we can say that ritual is bound by its normative

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<sup>12</sup> Zwagerman, *Wit's End*, 22.

<sup>13</sup> Judith Butler, *Bodies That Matter* (New York: Routledge, 2011), 60. My emphasis.

structure, but cannot be totally determined by it, in part because that structure depends on iterations which may always challenge or subvert its own reproductions.

The problems that definitional approaches to ritual run into are only more pronounced when we focus on ritual failure. Ronald L. Grimes writes that “Just as what we label with the single term ‘ritual’ is a multifold phenomenon requiring multiple methods to understand it, so there are numerous ways a rite can succeed or fail.”<sup>14</sup> Attention to failure only multiplies variant modes of analysis. But this need not be cause for concern. In *The Queer Art of Failure*, Jack Halberstam writes about failure as an anti-disciplinary concept. Where disciplines mark boundaries, failure, on Halberstam’s account, knock them down. Failure’s anti-disciplinarity offers rewards. Halberstam writes:

failure allows us to escape the punishing norms that discipline behavior and manage human development with the goal of delivering us from unruly childhoods to orderly and predictable adulthoods. Failure preserves some of the wondrous anarchy of childhood and disturbs the supposedly clean boundaries between adults and children, winners and losers. And while failure certainly comes accompanied by a host of negative affects, such as disappointment, disillusionment, and despair, it also provides the opportunity to use these negative affects to poke holes in the toxic positivity of contemporary life.<sup>15</sup>

If failure is both anti-disciplinary *and* constitutive of ritual, then definitions of ritual fail because ritual cannot be disciplined. Like Halberstam, I see this as potentially rewarding rather than frustrating. Concerned with what ritual *does* rather than what ritual *is*, a performative approach to ritual failure can help us recognize ritual’s embedded provisionality and contingency as sites of possibility and rule-breaking as a potentially productive act. “All losers are heirs of those who lost before them,” Halberstam writes. “Failure loves company.”<sup>16</sup>

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<sup>14</sup> Ronald L. Grimes, “Infelicitous Performances and Ritual Criticism,” *Semia*, vol. 41 (1988), 105.

<sup>15</sup> Jack Halberstam, *The Queer Art of Failure* (Durham, NC: Duke University Press, 2011), 3.

<sup>16</sup> Halberstam, *The Queer Art of Failure*, 121.

*Ritual, performativity, failure*

Although ritual studies' use of performativity marks a more recent shift in the field, these two theoretical lenses have long been intertwined. Examples of ritual acts populate the pages of *How to Do Things With Words*, with the wedding ceremony as the first and perhaps most famous (perhaps most exemplary, as treated by devotees and critics of Austin alike). Austin himself has described performatives as ritual practices: to say "I apologize" is to go "through the ritual of apologizing" he says.<sup>17</sup> Amy Hollywood further argues that Austin, Jacques Derrida, and Judith Butler all "lean their accounts of the force of the performative on ritual."<sup>18</sup> Ritual is foundational both to Austin's conception of performativity, and to its uptake. At least two things are happening here: first, there is something that makes ritual theory and performativity good conversation partners (if not predestined to be wed!). Second, ritual theory has been turning toward performativity as an interpretive frame. But these performative accounts of ritual rely on a reading of Austin that I challenge in this dissertation: they tend to carry on the Austin who interprets failed acts as trivial in some cases, and tragic in others. On this reading, rituals that go wrong are outliers as they break the rules that govern the normative standards of ritual success. I argue, in contrast, that ritual studies' bypassing of failure (through a misreading of Austin) is a *theoretical move* that protects ritual from its more irreverent inclinations—specifically from its impulse to improvise, expand, or go wrong.

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<sup>17</sup> J. L. Austin, *Philosophical Papers*, ed. by J. O. Urmson and G. L. Warnock (New York: Clarendon Press, 1979) 246-247.

<sup>18</sup> Amy Hollywood, "Performativity, Citationality, Ritualization," *History of Religions*, vol. 42, no. 2 (2022), 97.

Those who turn to performativity do not emphasize failure as a constitutive feature of ritual activity, and those who do talk about failure in ritual do not approach it through a performative lens. For example, Kathryn McClymond's 2016 book, *Rituals Gone Wrong*, argues that ritual mistakes "warrant careful scholarly attention."<sup>19</sup> She writes that "For all intents and purposes, no thoughtful scholarship has taken ritual mistakes or disruptions seriously as a significant element of lived ritual life, deserving of theoretical consideration."<sup>20</sup> But her project focuses on the *allowance* or *incorporation* of error into ritual practice and tradition. She writes: "The ability to correct ritual errors is about far more than discrete ritual events and outcomes; rather, ritual correction is the lifeblood of a robust ritual system. Without the ability—and the will—to correct ritual mistakes, ritual systems expire or, at the very least, diminish their influence."<sup>21</sup> This analysis, while it does acknowledge the vulnerability of ritual to mistakes, accounts only for how ritual traditions incorporate this possibility into their governing norms thus avoiding the possible productivity of failure as failure.

Additionally, an edited volume on ritual failure from 2007, *When Rituals Go Wrong: Mistakes, Failure, and the Dynamics of Ritual*, compiles various case studies of ritual failure. According to Edward L. Schieffelin's introduction, "This collection is the first attempt by a group of scholars to address the issue of 'ritual failure' as a topic in its own right in the study of ritual."<sup>22</sup> The volume ultimately demonstrates that a comprehensive theory of ritual failure is not possible, that the meaning of failure depends on context and interpretation. I agree with this position. However, many essays in the volume pose the question of who decides whether

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<sup>19</sup> Kathryn McClymond, *Rituals Gone Wrong: What we Learn from Ritual Disruption*, (New York, NY: Oxford University Press, 2016), 3.

<sup>20</sup> McClymond, *Rituals Gone Wrong*, 10.

<sup>21</sup> *Ibid.*, 174.

<sup>22</sup> Edward L. Schieffelin, "Introduction," in *When Rituals Go Wrong: Mistakes, Failure, and the Dynamics of Ritual*, ed. by Ute Hüsken (Leiden, The Netherlands: Brill, 2007), 1.

procedures fail as one of the most important questions for work on ritual failure. So both of these texts about ritual failure—McClymond and Hüsken—locate failure within the act itself and figure deviation from the rule as something that requires shoring up the rule—fixing, reconciliation, inclusion—by way of resignation to or remediation of the rule. Such projects ask: Is success measured by correct process or desired outcome? How do ritual mistakes get absorbed into successful practices? But attention to these questions reinforces the success/failure barometer in ritual theory while at the same time neglecting to theorize success and failure as one important pair of opposing forces that ritual brings together.

On the other hand, work that explicitly puts ritual and performativity together does not take up Austin's doctrine of infelicity—"the things that can be and go wrong on the occasion of [performative] utterances"—as a central feature of rituals understood as performatives.<sup>23</sup> Stanley Tambiah has argued that ritual is constitutively performative in three senses: "in the Austinian sense of performative, wherein saying something is also doing something as a conventional act; in the quite different sense of a staged performance that uses multiple media by which the participants experience the event intensively; and in the sense of indexical values—I derive this concept from Peirce—being attached to and inferred by actors during the performance."<sup>24</sup> But this earlier performative turn in ritual studies neglects what I see as the most important feature of Austin's performativity: that all acts are heir to infelicity, and indeed, many performative acts often fail.

Amy Hollywood, in her essay "Performativity, Citationality, Ritualization," argues that ritual is a protagonist in the development and uptake of performative speech acts. Performatives

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<sup>23</sup> Austin, *How to Do Things With Words*, 14.

<sup>24</sup> Stanley Tambiah, *Culture, Thought, and Social Action: An Anthropological Perspective* (Cambridge, MA: Harvard University Press, 1985), 128.

themselves are never just ritual, they are also born through ritual, as “[t]he very contexts in which the performative operates are themselves products of performative utterances and acts, subverting the distinction between utterance and context on which Austin’s analysis (at least provisionally) depends. Ritual can be understood in the same way, for just as speech acts mean as well as do, rituals are meaningful actions.”<sup>25</sup> Hollywood reads Butler as “going so far as to argue that speech acts are themselves rituals, a move rendered ironic by the fact that some ritual theorists now understand rituals as speech acts.”<sup>26</sup> I don’t see this as an ironic move, however, as ritual, as Hollywood herself notes, is integral to Austin’s conception of the performative.<sup>27</sup> She argues that it is through “elaborating the failures marked by” some of the criteria for felicitous performatives that “Austin makes the analogy between performatives and ritual explicit.”<sup>28</sup> And she interprets Austin’s doctrine of infelicity to suggest “that ritual, ceremonial, or conventional acts, whether linguistic or not, are marked by constraints with regard to the social context in which they occur.”<sup>29</sup> This isn’t the whole picture, however. Hollywood misses the ways in which infelicity, following Shoshana Felman, is located inside the ritual act.<sup>30</sup>

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<sup>25</sup> Amy Hollywood, “Performativity, Citationality, Ritualization,” *History of Religions*, vol. 42, no. 2, pp. 93-115 (2002), 109.

<sup>26</sup> Hollywood, “Performativity, Citationality, Ritualization,” 96. In *Excitable Speech*, Butler writes: “As utterances, they work to the extent that they are given in the form of a ritual, that is, repeated in time, and, hence, maintain a sphere of operation that is not restricted to the moment of the utterance itself. The illocutionary speech act performs its deed *at the moment* of the utterance, and yet to the extent that the moment is ritualized, it is never merely a single moment. The ‘moment’ in ritual is a condensed historicity: it exceeds itself in past and future directions, an effect of prior and future invocations that constitute and escape the instance of the utterance.” Judith Butler, *Excitable Speech*, (New York, NY: Routledge, 2021), 3.

<sup>27</sup> “The proximity of ritual to the performative roots in the work of Austin, for whom certain ritual utterances prime examples of the performative and the infelicities that plague it.” Hollywood, “Performativity, Citationality, Ritualization,” 101. This is one of the few mentions of infelicity in the essay.

<sup>28</sup> *Ibid.*, 102.

<sup>29</sup> *Ibid.*, 102-103.

<sup>30</sup> In *The Scandal of the Speaking Body*, Felman argues that failure is *inside* the performative, contrary to Benveniste who, in wanting to maintain the performative/constative distinction, “*situates* failure squarely *outside* of the performative, that is, both outside the language act and outside its theory.” For Austin however, “the capacity for failure is situated not outside the act but *inside* the performative, both as speech act and as theoretical instrument. Infelicity, or failure, is not for Austin an *accident* of the performative, it is inherent in it, essential to it.” Felman, *Scandal*, 45.

In more recent years, other work in ritual studies more comprehensively argues for understanding rituals as performatives. In *The Politics of Ritual* (2023), Molly Farneth argues that rituals are performatives because they “bring about a real change in the social world.”<sup>31</sup> *The Politics of Ritual* offers a social practical account of ritual that attends to its political significance. For Farneth, the performative dimensions of ritual are linked to ritual’s political value: rituals can change people’s normative statuses and alter the functions of a group, for example. As is the case with “speech acts, ritual performatives are embedded in social structures and power relations.”<sup>32</sup> Such social structures determine the success or felicity of an act, but ritual may also break with the criteria or scripts that govern its enactments. For this reason, Farneth rightly observes that rituals are “creative acts” that “don’t merely reproduce existing social relations and structures.”<sup>33</sup> She calls attention to ritual’s prefigurative power: a ritual that goes *unexpectedly* may bring about something new, or at least rehearse something new that is still forthcoming.

But there is a much earlier performative theory of ritual failure that also deserves our attention. In his 1988 essay “Infelicitous Performances and Ritual Criticism,” Ronald L. Grimes pairs performativity with ritual theory for two clear reasons that I have already endorsed: “(1) some of the examples used by Austin are ritualistic and (2) ritual contexts, more than any other, make use of what he calls performative utterance, that is, speech insofar as it accomplishes tasks rather than merely describing them.”<sup>34</sup> In this essay, Grimes cites examples of ritual failure from biblical literature:

Amos’ God has little use for solemn assemblies. Nadab and Abihu are killed for performing an unauthorized rite. Esau loses the benefits of the blessing rite to his

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<sup>31</sup> Molly Farneth, *The Politics of Ritual*, (Princeton NJ: Princeton University Press, 2023), 91.

<sup>32</sup> Farneth, *The Politics of Ritual*, 43.

<sup>33</sup> Ibid.

<sup>34</sup> Grimes, “Infelicitous Performances and Ritual Criticism,” 104.

brother Jacob. Cain's offering is disregarded for some unspecified reason. The Egyptian magicians' magic cannot match that of Moses and Aaron. Balak cannot get Balaam's oracle to tell him what he wants to hear. And if Abraham's ritual sacrifice of his son had been successful, it would have failed.<sup>35</sup>

Grimes takes these examples to suggest that ritual is more troublesome than scholarship has treated it, and that Austin's performative theory "might enable us to begin rectifying this gap."<sup>36</sup> Schieffelin is critical of Grimes for "importing an approach to ritual studies derived from linguistics which may or may not be appropriate to ritual materials."<sup>37</sup> But, as I have shown, ritual and performativity are twinned investigations, so to dismiss a performative approach as inappropriate to ritual studies is to ignore something crucial about both ritual and performativity and their co-implicated disciplinary histories.

Grimes' approach attends to the ordinariness of ritual failure and the problems with ritual studies' inattention to it: "Although participants probably experience the failure of ritual as often as they do the success of it, people who study rites pay little attention to the dynamics of ritual infelicity."<sup>38</sup> He asks: "What are the motives and mechanisms of the widespread evasion of the fact of ritual infelicity?"<sup>39</sup> But in conclusion, Grimes admits that he has left this question unanswered. He demonstrates how ritual studies overwhelmingly emphasizes felicitous performance, but he does not make any claims as to why this might be the case. One possible answer, I argue, is that ritual studies' theoretical investment in felicitous performance at the exclusion of infelicitous performance is the result of a misreading of Austin's performativity. I suggest that the tools to make this analysis can be found in Grimes' study, specifically in his creative additions to Austin's typology of infelicity.

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<sup>35</sup> Ibid., 104.

<sup>36</sup> Ibid.

<sup>37</sup> Schieffelin, "Introduction," 2.

<sup>38</sup> Grimes, "Infelicitous Performances and Ritual Criticism," 105.

<sup>39</sup> Ibid., 106.

For Grimes, “ritual is an ‘impure’ genre.”<sup>40</sup> He makes an analogy between ritual and opera “which includes other genres, for example, singing, drama, and sometimes even dancing.”<sup>41</sup> Where some accounts of ritual seek after neatness and perfection, I read Grimes as offering a picture of ritual that better captures its imperfections and unruliness, its composite and improvisational structure. In the essay, Grimes amends Austin’s taxonomy of infelicities, which responds to violations of his criteria for performative success. He focuses on Austin’s *abuses* (an act performed but insincerely) and *misfires* (an act performed but without the appropriate persons, circumstances, or procedure).<sup>42</sup> In addition to abuses and misfires, Grimes contributes nine other infelicities. Under the purview of Austin’s abuses, he adds *glosses*, in which ritual “procedures [are] used to cover up problems” and *flops*, in which an act fails “to produce [the] appropriate mood or atmosphere.” In categories of their own, Grimes proposes seven other infelicities: an *ineffectuality* is an act that “fails to precipitate anticipated empirical change,” a *violation* is an act that is “effective but demeaning,” a *contagion* is an act that “leaps beyond proper boundaries,” an *opacity* is an act that is “unrecognizable or unintelligible,” a *defeat* is an act that “discredits or invalidates acts of others,” and an *omission* is an act that is “not performed” or a ritual procedure that remains intact but is “left undone.”<sup>43</sup>

The ninth and last amendment is what Grimes calls a *misframe*: “When we misframe a rite, we misconstrue its genre. The result is akin to missing the point of a joke or taking irony literally. Perhaps we understand it on some level—it is not ‘opaque’ to us—but on some other we miss the point.”<sup>44</sup> Misframings can be “disastrous” to ritualists, Grimes says, or they can be

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<sup>40</sup> Ibid., 104.

<sup>41</sup> Ibid.

<sup>42</sup> For a comprehensive chart of Austin’s typology of infelicities, see Austin, *How to*, 18.

<sup>43</sup> Grimes, “Infelicitous Performances and Ritual Criticism,” 115-116. See page 116 for a comprehensive list of Grimes’ typology of ritual infelicity.

<sup>44</sup> Ibid., 115.

“funny.”<sup>45</sup> Grimes suggests that frames can change throughout the course of a ritual performance, influencing how ritualists understand their actions in real time. But since felicity is always determined after the fact, misframings too have a belated structure. Also important for Grimes’ misframe is that different actors can apply different frames to the same act. This point will return later, with Hayden White’s emplotment. But for now, we can, I think, approach misreadings of Austin with Grimes’ amended taxonomy of infelicity. That is to say, readers of Austin who take him too seriously misconstrue the genre of the text; they miss the joke. The next section, then, seeks to *reframe* Austin in light of a history of misframings.

### *Reframing Austin*

The Austin that gets adopted into ritual theory makes way for interpretations of ritual failure as predominantly trivial or tragic. This is likely because there is a relation in Austin’s philosophy of language between the trivial and the tragic. Many of his examples concern scenarios that he can easily dismiss as trivial because they are in some sense *absurd*, like: “appointing a horse as Consul.”<sup>46</sup> Shoshana Felman even suggests that triviality is Austin’s philosophical method.<sup>47</sup> But, as I noted above, the language he uses to communicate performative infelicity conveys a real sense of gravity: a violation of the rules is a *sin*, to err in speech and action is to inspire unhappiness and dissatisfaction. I argue that ritual studies’ uptake of performativity adopts a reading of Austin that overdetermines the trivial and the tragic. While

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<sup>45</sup> Ibid., 116.

<sup>46</sup> Austin, *How to*, 35.

<sup>47</sup> “Through the shock effect of the laughter that it provokes, the descending incongruity of Austin’s examples seems to institute, as it were, triviality itself as a philosophy—as a method.” Felman, *Scandal*, 83.

this relation does exist in his philosophy, so do other important conceptual frames, like humor for example. And there is humor already in Austin's examples that present as trivial or tragic on first glance, which is to say, maybe *we just have to laugh* at the thought of a horse in the consulate and a priest whose baptizing takes an aggressive turn.<sup>48</sup> Other readings of Austin thus suggest other ways to theorize ritual failure performatively. Against the fabricated demands of seriousness, we can read ritual failure not as a fluke or a problem, but as an ordinary and constitutive feature of ritual activity—one that may cause alarm and frustration, but maybe also laughter.

In *The Scandal of the Speaking Body*, Shoshana Felman reads Austin through the lens of a literary text: Molière's *Don Juan*—a play about a seducer who continuously offers his hand in marriage and then breaks his promises. Felman's project asks what Austin's performative theory illuminates about the myth of Don Juan, and then what the myth of Don Juan illuminates about Austin's performative theory in turn. For Felman, Austin and Don Juan both substitute the criteria of satisfaction for the criteria of truth. Where Austin's constatives can be judged as either true or false, his performatives are judged as felicitous or infelicitous. For Felman, the constative is "a promise of constancy: a promise that meaning will last."<sup>49</sup> Don Juan, however, "does nothing but *promise the constative*" and then *break it*.<sup>50</sup> His promises can only be renewed, or re-promised, because they are never kept. Indeed, his promises may never be intended to be kept, which for Felman, "obviously abuses the institution of promising" and for Austin, is an infelicity in violation of rule *I*.2 which requires that someone who invokes a performative must conduct themselves with the appropriate thoughts, feelings, and intentions required by the performative's

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<sup>48</sup> This reminds me of comedian John Mulaney's joke in which he analogizes Donald Trump in the White House to a horse in a hospital in his 2018 stand-up special, *Kid Gorgeous at Radio City*.

<sup>49</sup> Felman, *Scandal*, 21.

<sup>50</sup> Ibid.

procedure.<sup>51</sup> Don Juan's is a promise given *in bad faith*, as Austin would say; insincerity is a kind of infelicity. Felman asks: what does failure in the play's drama of promises made and promises broken reveal about failure in performative acts?

On Felman's reading, Don Juan becomes a fictional representation of Austin's performative act. Performatives contain an inherent breach, Felman argues, noting that Don Juan's broken promises are "capable above all of the act *of failing*, of missing or of losing ground."<sup>52</sup> But there are two kinds of failures in Felman's *Scandal*, one more pronounced than the other. Alongside the donjuanian breach that revolves around the sanctity of marriage—a commentary on Austin's "I do," which Felman's work made central to Austin studies and performativity for the next 40 years—Felman also points to what she reads as an Austinian pratfall philosophy that carries his performative theory along: slipping and falling, getting back up, and then falling again.<sup>53</sup> The bodily humor in Austin's examples, which we can also understand as a dramatization of one of his philosophical methods, presents failure as an ordinary consequence of living inside a body and thinking with a mind.

Scholars seem to agree that performativity's uptake has been more serious than the original theory. In the context of ritual theory (and specifically on ritual failure), Grimes writes that "the main contribution of speech act theory to a theory of ritual failure still consists of Austin's taxonomy, which he himself took to be provisional and incomplete," as if to say, *Let's not take Austin too seriously!* or, Austin didn't take himself too seriously so why should we?<sup>54</sup>

On John Searle's revision of Austinian performativity, Sean Zwagerman notes that "Austin's

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<sup>51</sup> Ibid, 4.

<sup>52</sup> Ibid., 44.

<sup>53</sup> For more on failing and falling in Austin, see Sean Zwagerman, *Wit's End: Women's Humor As Rhetorical and Performative Strategy* (Pittsburg, PA: Pittsburg University Press, 2010).

<sup>54</sup> Ronald L. Grimes, "Infelicitous Performances and Ritual Criticism," *Semeia*, vol. 41 (1988), 107.

provisional discussion of the performative provides a theory less refined, but more heuristic.”<sup>55</sup> Here, Zwagerman, like Grimes, also picks up on a sense of provisionality in Austin’s performative theory. Where Searle “protects the purity of the performative,”<sup>56</sup> Austin abandons it, as his distinction between constatives and performatives eventually breaks down.<sup>57</sup> Similarly, Zwagerman charges Derrida with making “the fundamental mistake of taking J. L. Austin too seriously.”<sup>58</sup> And in another defense of Austin’s provisionality, which is bound up with his philosophical method and style, Stanley Cavell comments that “ways of reading [Austin] that ignore his playful ‘manner’ are ignoring something essential to his philosophical seriousness.”<sup>59</sup> Joking does not come at the expense of philosophical rigor. In this case, Cavell argues, it is essential to it.

On the other hand, some critics of Austin accuse him of being too rigid in his initial distinction between the constative and the performative. Andrew Parker and Eve Sedgwick, for example, in bringing the performative to performance, argue for a “refusal to take any aspect of performative relations as definitionally settled.”<sup>60</sup> And in contemporary colloquial language, ‘performative’ has come to describe someone whose actions are inauthentic or insincere, likely for attention. The risk here is that Austin’s coinage will lose all significant meaning because it

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<sup>55</sup> Zwagerman, *Wit’s End*, 13.

<sup>56</sup> *Ibid.*, 14.

<sup>57</sup> At the end of *How to Do Things With Words*, Austin writes that “the notion of the purity of performatives... was essentially based upon a belief in the dichotomy of performatives and constatives, which we see has to be abandoned in favor of more general *families* of related and overlapping speech acts.” Austin, *How to*, 150. And in “Performative Utterances,” he concludes, “We see that stating something is performing an act just as much as is giving an order or giving a warning; and we see, on the other hand, that, when we give an order or a warning or a piece of advice, there is a question about how this is related to fact which is not perhaps to very different from the kind of question that arises when we discuss how a statement is related to fact. Well, this seems to mean that in its original form our distinction between the performative and the statement is considerably weakened, and indeed breaks down.” J. L. Austin, “Performative Utterances,” in *Philosophical Papers*, ed. by J. O. Urmson and G. L. Warnock (New York: Clarendon Press, 1979), 251.

<sup>58</sup> Zwagerman, *Wit’s End*, 140.

<sup>59</sup> Stanley Cavell, “Forward,” in Felman, *Scandal*, xv.

<sup>60</sup> Andrew Parker and Eve Kosofsky Sedgwick, “Introduction” in *Performativity and Performance*, ed. By Andrew Parker and Eve Kosofsky Sedgwick (New York, NY: Routledge, 1995), 14.

can be made to mean anything. For Zwagerman, however, the usefulness of the performative is precisely in its “being at once more narrow and more capacious: more narrow in that, as both Austin and Searle indicate, not all speech acts qualify as performatives, and more capacious in that the study of performatives has come to include not only verbal acts but nonverbal acts (clothing, body language) and partially verbal acts (the performativity of a courtroom scene...).”<sup>61</sup> Austin offers a strong distinction between constatives and performatives so that he can play with it, and those who have taken it up play with it as well. But I am interested in how a return to the undeconstructed Austin sheds light on ritual failure.

Felman suggests that “[t]he distinguishing feature of the Austinian performance is not that it turns ‘seriousness’ against ‘unseriousness,’ but rather that it *blurs* the boundaries between the two.”<sup>62</sup> Austin’s writing on performativity is filled with jokes, even as he professes that he “must not be joking... nor writing a poem” in order to be taken seriously.<sup>63</sup> Blurring the boundaries between seriousness and unseriousness, I suggest, is also a distinguishing feature of Romain Gary’s comic dybbuk in his novel *The Dance of Genghis Cohn* that I engage in chapter four. The titular Genghis Cohn jokes, incessantly, about serious matters; for example: “In Auschwitz, one day, I told a fellow inmate such a funny joke that he literally died laughing.”<sup>64</sup> And Felman, in conversation with Austin, blurs these boundaries as well; Cavell describes her as “playfully serious” and Austin as “seriously playful.”<sup>65</sup> We may also apply Cavell’s formulations here to ritual, as a practice, as I argue, that relies on deviation and improvisation as much as convention. The subtitle to Victor Turner’s 1982 *From Ritual to Theater* is *The Human*

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<sup>61</sup> Zwagerman, *Wit’s End*, 13.

<sup>62</sup> Felman, *Scandal*, 96.

<sup>63</sup> Austin, *How to*, 9.

<sup>64</sup> Gary, *Genghis Cohn*, 4.

<sup>65</sup> Cavell, “Foreword,” xi.

*Seriousness of Play*. And, in *The Rabbi of Bacherach*, for another literary example, Heinrich Heine describes a Passover seder as “[m]ournfully merry, seriously playful, and mysteriously secret.”<sup>66</sup> Heine could have written the same line about Gary’s *Genghis Cohn*—a novel that remembers the Holocaust through the eyes (and words!) of a murdered Jewish comedian who inhabits the psyche of a Nazi.

Scholars have already remarked on Austin’s eschewing of literature and theater from his ordinary language philosophy on account of literary and theatrical speech not constituting ordinary discourse.<sup>67</sup> Austin writes that speech on stage is “*parasitic* upon its normal use” and therefore “performative utterances, felicitous or not, are to be understood as issued in ordinary circumstances.”<sup>68</sup> But many of Austin’s examples are drawn from literary sources, and there is a literariness and theatricality staged in *How to Do Things With Words*.<sup>69</sup> Austin delivered these ideas at his William James Lectures at Harvard in 1955 and the text was later published posthumously. So the words were written to be performed in front of an audience and the published lectures take readers through a great Austinian journey. They begin, “What I shall have to say here is neither difficult nor contentious; the only merit I should like to claim for it is that of being true, at least in parts.”<sup>70</sup> And they conclude with a reflection on what has taken place over the course of the lectures:

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<sup>66</sup> Heinrich Heine, *The Rabbi of Bacherach and Other Stories*, trans. by Charles Godfrey Leland, (Princeton, NJ: Markus Wiener Publishers, 2014), 25.

<sup>67</sup> See for example Jacques Derrida, “Signature, Event, Context,” in *Limited Inc.* (Evanston, IL: Northwestern University Press, 1988); Parker and Sedgwick, *Performativity and Performance*; Jeffrey T. Nealon, *Fates of the Performative: From the Linguistic Turn to the New Materialism*, (Minneapolis, MN: University of Minnesota Press, 2021); and Zwagerman, *Wit’s End*.

<sup>68</sup> Austin, *How to*, 22.

<sup>69</sup> The text includes an early citation from Euripides’ *Hippolytus*: “my tongue swore to, but my heart (or mind or other backstage artiste) did not.” Ibid., 9-10.

<sup>70</sup> Austin, *How to*, 1. Austin’s introduction to his lectures reminds me of Freud’s introduction to an early draft of his *Moses and Monotheism*, in which he writes that his technique “has no proven reality, or only an uncomfortable one, for even the greatest probability does not necessarily correspond to the truth.” Sigmund Freud, quoted in Yosef Hayim Yerushalmi, *Freud’s Moses: Judaism Terminable and Interminable* (New Haven, CT: Yale University Press, 1991), 17.

In these lectures, then, I have been doing two things which I do not altogether like doing. These are:

- (1) producing a programme, that is, saying what ought to be done rather than doing something;
- (2) lecturing.

However, as against (1), I should very much like to think that I have been sorting out a bit the way things have already begun to go and are going with increasing momentum in some parts of philosophy, rather than proclaiming an individual manifesto. And as against (2), I should certainly like to say that nowhere could, to be, be a nicer place to lecture in than Harvard.<sup>71</sup>

This is why Cavell calls Austin “seriously playful.” His lectures end with the collapse of the (partly true) philosophical proposition with which they began—the distinction between constatives and performatives cannot hold. But his closing remarks rely on this distinction, thereby resurrecting its purity in order to muddy it yet again. By admitting that he has been “saying what ought to be done rather than doing something,” Austin seems to suggest that his presentation of the performative has occurred in a constative mode.<sup>72</sup> But, at the same time, the lecture is a performative act, as much as it is a performance: Austin’s doing is in his saying. The seriousness of his concepts thus depends on his playing with them; playfulness is foundational to his philosophy.

Zwagerman argues that the text “*humorously perform[s] failure*.”<sup>73</sup> Likewise, Felman interprets Austin’s theoretical performance as an *act of failing*, as a donjuanian scandal in its failure to make good on its promise. If this is so, then Austin’s word would be like the trickster’s “I do”—insincere and uttered only to make way for failure, or, performative in our contemporary colloquial sense. Austin “can only fail in his own act,” Felman writes, “fail to keep his own *promise to say* the constative of the performative. Far from achieving the satisfaction of theoretical ‘felicity,’ the Austinian performance is itself exposed to misfire: ‘On this point, I

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<sup>71</sup> Austin, *How to*, 164.

<sup>72</sup> Ibid.

<sup>73</sup> Zwagerman, *Wit’s End*, 143.

could do no more than explode a few hopeful fireworks' (*HT*, p. 148)."<sup>74</sup> Yet Austin never promises anything about his philosophy. All he dares to "claim for it is that of being true, at least in parts."<sup>75</sup> In this sense, Austin is more like Genghis Cohn than he is like Don Juan. The closest thing we get to a promise from Cohn is that he'll share a good story when he has one. But even so, that is more of a performer's compulsion than it is a promise.

Writing on performativity and women's humor in his *Wit's End*, Sean Zwagerman refers to the work of defining or theorizing humor as a "history of failure." Definitions and theories are never good enough, he says, they all "fall short."<sup>76</sup> Zwagerman proposes that humor is better understood as an epistemology—a way of knowing and relating to the world. He writes that "[t]o use humor in talk is to communicate in a way that acknowledges the absurdity of our Sisyphean task: since fulfillment—the "end"—is impossible, and if it weren't it would kill or silence us."<sup>77</sup> Felman's corollary claim is that failure *makes* history, because history is made up of performative speech acts, which are constituted by the possibility of failure. Importantly, "like any speech act," Zwagerman writes, humor is "susceptible to failure."<sup>78</sup> Laughter is always possible, but never a guarantee. Genghis Cohn defines Jewish humor as "a way of yelling."<sup>79</sup>

Zwagerman writes that "By playing with speech acts and bending or breaking rules, performative humor can create new individual, interpersonal, and social perspectives, new terministic screens, from heterogeneous bits of language, authority, and context, forging new connections between words and meanings and also between speakers and listeners."<sup>80</sup> Where

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<sup>74</sup> Felman, *Scandal*, 79.

<sup>75</sup> Austin, *How to*, 1.

<sup>76</sup> Zwagerman, *Wit's End*, 2. At the beginning of his study on the comic, Henri Bergson declares: "we shall not aim at imprisoning the comic spirit within a definition. Henri Bergson, *Laughter: An Essay on the Meaning of the Comic*, (Rockville, MD: Arc Manor, 2008), 9.

<sup>77</sup> Zwagerman, *Wit's End*, 210.

<sup>78</sup> *Ibid.*, 32.

<sup>79</sup> Gary, *Genghis Cohn*, 141.

<sup>80</sup> Zwagerman, *Wit's End*, 34.

Felman suggests that Austin's method is triviality, here, Zwagerman identifies play as a methodology of performative humor that relies on "bending or breaking rules" toward creative ends. For Zwagerman, the opposition of humor and seriousness is a false binary: "neither the meaning nor the serious intent of an utterance conveyed through humor is necessarily undercut by that humor, and that humor can be used as an indirect speech act to attempt the full range of serious (in the sense of purposeful and sincere) performatives."<sup>81</sup> "If humor is frivolous and nonserious," Zwagerman asks, "why is it contained by prohibitions of appropriateness?"<sup>82</sup> He makes a similar claim to Des Pres, in the context of performative speech: chitchat, small talk, banter, and the like "is generally regarded as trivial chatter next to formal speech, writing, oratory, and other higher (perhaps more masculine) uses of language."<sup>83</sup> The demand of seriousness thus animates misreadings and misunderstandings: "to miss Austin's humor is to miss his point."<sup>84</sup>

For Felman, a performative's failure is scandalous because she takes Don Juan's broken promise as the exemplary performative act. But Genghis Cohn's jokes will remind us that Austin's performative failure is ordinary. It is the demand of seriousness that *scandalizes* alternative modes and obscures humor from performative acts, especially infelicitous ones. In Grimes' terms, we may say that this mode of theorizing is motivated by a *misframing*: misconstruing the genre of the act (in this case, misconstruing the genre of the text). But why is ritual studies so caught up in seriousness? As I wrote in the introduction, it matters that ritualists expect felicity in their performances, and in the next chapter, we will work with a case of ritual infelicity that illuminates the high value of correct ritual performance in Judaism. For Austin,

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<sup>81</sup> Ibid., 3.

<sup>82</sup> Ibid., 25.

<sup>83</sup> Ibid., 25.

<sup>84</sup> Ibid., 139.

“The whole point of having such a procedure is precisely to make certain subsequent conduct in order and other conduct out of order.”<sup>85</sup> This dissertation argues, however, that performative acts and ritual practice are empty of meaning without the possibility for improvisation or unexpectedness or failure. A focus on ritual failure uncovers a world that is made up of provisional, incomplete, and contingent acts that are open to various interpretations.

### *Genre as explanation*

Scholars have already, as I have shown above, attended to genre in Austin. But I argue that this attention should extend to Austin as he is taken up in ritual studies. Ritual acts—whether failures, successes, or ambiguous cases—are narrated, by the ritualists themselves or by the scholars who write about them. This narration occurs after the ritual has taken place. Just as, in Austin, felicity is determined after the fact, so too in ritual is the success of the act adjudicated after its performance. Grimes’ interpretation of misframe strikes me as a description of *an act of narration* in this sense: it is a judgment made about the process of telling a story of ritual. And, for a narrative to be judged as a misframe signifies that there exists a normatively appropriate and standard frame. But frames and misframes also carry a sense of idiosyncrasy. What is funny to one ritualist might be disastrous to another. In this way, any given ritual act is open to multiple frames. Grimes acknowledges this to an extent: “frames can shift or multiply in the course of a single cultural performance.”<sup>86</sup> But if multiple frames may apply to and change within the same

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<sup>85</sup> Austin, *How to*, 44.

<sup>86</sup> Grimes, “Infelicitous Performances and Ritual Criticism,” 115.

performance, then it is difficult to say when a misframe is really a *mis*frame, or just another way of explaining a ritual or performative act.

In this project, I think of genres as *modes of explanation*, which dispels any assumption that certain frames can be inherently infelicitous. I take up historian Hayden White's conception of emplotment, which describes how we go about making sense of the significance of historical stories through genre. Emplotment provides "the 'meaning' of a story by identifying the *kind of story* that has been told."<sup>87</sup> In the narration of a story, if "the historian provides it with the plot structure of a Tragedy, he has 'explained' it in one way; if he has structured it as a Comedy, he has 'explained' it in another way. Emplotment is the way by which a sequence of events fashioned into a story is gradually revealed to be a story of a particular kind."<sup>88</sup> Tragedy and comedy are two kinds of stories that explain the meaning of the story in different ways. White explains:

The reconciliations which occur at the end of Comedy are reconciliations of men with men, of men with their world and their society; the condition of society is represented as being purer, saner, and healthier as a result of the conflict among seemingly inalterably opposed elements in the world; these elements are revealed to be, in the long run, harmonizable with one another, unified, at one with themselves and the others. The reconciliations that occur at the end of Tragedy are much more somber; they are more in the nature of resignations of men to the conditions under which they must labor in the world. These conditions, in turn, are asserted to be inalterable and eternal, and the implication is that man cannot change them but must work within them. They set the limits on what may be aspired to and what may be legitimately aimed at in the quest for security and sanity in the world.<sup>89</sup>

The same historical event represented through comedy and tragedy will thus have different effects on the receivers of the story and their relationships with the event in either representation.

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<sup>87</sup> Hayden White, *Metahistory: The Historical Imagination in Nineteenth-century Europe* (Baltimore, MD: Johns Hopkins University Press, 1973), 7.

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*, 9.

On White's account, a tragic narration of atrocity leads to an allowance of things as they are, and a resignation to worldly conditions that are conceptualized as inherent and unchanging. A comedic narration of atrocity seems to resist the same resignation into despair or nihilism, as conflict and change are valued as social goods. But what matters most for White is that "every history, even the most 'synchronic' or 'structural' of them, will be emplotted in some way."<sup>90</sup> No historical story is free from thematization through genre, and any given story can be narrated in more than one way.

For White, "narrative is an expression of discourse of a distinct mode of experiencing and thinking about the world, its structures, and its processes."<sup>91</sup> This means that a narrative will also communicate something about the context in which that ritual took place and the worldviews of the narrator. Chapter two will work with a narrative of a Yom Kippur observance in Auschwitz that took place on the wrong day. I argue that Emil Fackenheim's narration of this act promotes a tragic attachment to the past, which helps us to see his Zionist politics in a new light. But there are other ways to narrate the same story. I will offer an alternative narrative in which the failed ritual demonstrates the amazing endurance of Jewish ritual life in a place that sought to destroy its potential. In contrast to Fackenheim's narrative that is oriented toward the past, this reading is oriented toward the future.

Tragic and comic frames describe the more formal elements of narrative rather than the associated feelings and affects. I follow White's distinction where the tragic refers to a scenario in which the outcome could not have been otherwise—the tragic end is pre-determined by the tragic beginning, and where the comic narrates outcomes in which the world is *changed* by the

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<sup>90</sup> Ibid., 8.

<sup>91</sup> Hayden White, *The Fiction of Narrative: Essays on History, Literature, and Theory 1957-2007*, ed. by Robert Doran (Baltimore, MD: The Johns Hopkins University Press, 2010), 274.

drama that occurs in the course of the narrative. On this understanding, a tragic view of ritual failure conceptualizes the ritual procedure as something that is always and already *enduring*. In performative terms, we might call this a constative view of ritual in which there are fixed norms and rules that people *follow* but also *break*. On the other hand, a comic view of ritual failure notices the ways in which ritual is innovative and responds to contextual demands and interferences. This is not, as I wrote in the introduction, to pit these two emplotments against each other nor to suggest that they are the only ways to explain historical and ritual events. For example, we have already seen triviality as a kind of genre in Austin, and we will encounter other genres throughout the dissertation, like lament and fiction. And crucially, as I have shown, there are multiple emplotments at work in Austin's method. I argue against the demands for tragedy and seriousness that foreclose alternative pathways for conceptual frames and memorial practices. We will see, in the subsequent chapters, when particular frames and emplotments emerge as dominant or even raise to the status of a sacred form of narrative at the expense of other explanatory frames.

### *Beyond Austin*

Austin's typology of infelicity and Grimes' additions to it—while both duly acknowledged as “provisional and incomplete”—do not capture something crucial about ritual failure.<sup>92</sup> Not only are criteria provisional and incomplete, they are also limiting. Austin's felicity conditions provide an easy reference point for acts that go wrong: appointing a horse as Consul is

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<sup>92</sup> Grimes, “Infelicitous Performances and Ritual Criticism,” 107.

a clear misfire in Austin's account. But Austin also asks us to consider the total situation of the speech act, which emphasizes the importance of context in performativity. What is infelicitous in one context might be felicitous in another. This can be as ordinary (and trivial, even) as a judge who calls "Order!" in a shopping mall rather than a courtroom and no shopper pays him any attention. The ordinary, as I have already articulated, is Austin's domain. But context-dependent ritual failure can also be extraordinary. Chapter four takes up Genghis Cohn's ritualizing, which can only happen through the body and mind of a Nazi. This is no ordinary ritual context, and the example troubles our conventional understandings of felicity conditions in ritual acts. So in conclusion, I want to briefly gesture toward a performative theory of ritual failure that goes beyond Austin. This argument does not insist on adding another type of infelicity to Grimes' amended list. Rather, it asks us to consider when a ritual's context might invalidate the conceptual integrity of felicity and infelicity, and therefore, the typology, with all of its problems and promises, becomes moot.

Philosopher Jonathan Lear helps us to think about how "the meaningfulness of concepts depends on their being embedded in a living form of life."<sup>93</sup> In Austin, felicity and infelicity make sense as forms of judgment because they belong to a protected normative system. By this I mean, Austin's performative theory relies on a world that is composed of all kinds of infelicities, but whose normative frames remain intact. But there are more radical failures that complicate the concepts and contexts that we generally take for granted. Lear theorizes not in the ordinary, but in the extraordinary. He writes about what he calls a "crisis of intelligibility." This refers to an extreme form of loss when "the concepts and categories by which the inhabitants of a form of life have understood themselves—their acts, projects, and ideals—cease to make sense as ways

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<sup>93</sup> Jonathan Lear, *Wisdom Won From Illness: Essays in Philosophy and Psychoanalysis* (Cambridge, MA: Harvard University Press, 2017), 50.

to live.”<sup>94</sup> When a form of life is destroyed, so too are the conceptual frames that were used to make sense of it. Lear deals extensively with an example of a crisis of intelligibility in his book *Radical Hope*, which I take up in chapter four. In crises of intelligibility, I will argue that ritual failure can provide a way forward through a breakdown in meaningful life. Austin cannot help us make an argument for situations in which ritual failure is *good* for ritual life. But with Lear, we can uncover the ethical and political value of ritual failure. Lear’s ethical question—how *ought* we to live with cultural devastation—links (infelicitous) ritual practice to acts carried out in service of a possible future. And my political reading demonstrates when ritual failure helps to orient us toward a possible future—when infelicity conjures both the world that was lost and the world that is hoped for.

But in advocating for ritual studies to look beyond Austin, the dissertation importantly never abandons Austin. As I hope to show, a reframing of Austin’s ordinary language philosophy also helps us think about ritual failure in extraordinary contexts. And in classic Austinian style, the rest of this dissertation proceeds “by way of example.”<sup>95</sup> Each of the subsequent chapters is organized around a central example. I develop the theoretical work of the dissertation alongside engagement with particular cases: my argument about ritual failure and narrative possibility is developed out of my reading of the story that Emil Fackenheim tells about a Yom Kippur observance in Auschwitz that happens on the wrong day; my argument about improvisation in ritual and memory is made with a reading of the virtual Holocaust survivor from the USC Shoah Foundation’s Dimensions in Testimony project; and lastly my argument about ritual failure in extraordinary contexts is made with an unlikely pairing of Romain Gary’s *The Dance of Genghis Cohn* with Jonathan Lear’s *Radical Hope*. The main examples are all sourced from Jewish

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<sup>94</sup> Lear, *Wisdom Won From Illness*, 50-51.

<sup>95</sup> Austin, *How to*, 12.

memory projects, and all point to various unsettled debates and unresolved tensions. But I don't look to settle or solve the problems that these examples lay out for us. Rather, I find substance in the gaps they hold open. In this way, my use of examples participates in a method of writing about ritual that is as contingent, provisional, playful, and unruly as its subject matter and its world.

## CHAPTER TWO

### EMIL FACKENHEIM'S YOM KIPPUR STORY

“Infelicity is an ill to which *all* acts are heir.”  
— J. L. Austin, *How to Do Things With Words*

Toward the very end of his 1982 post-Holocaust reckoning, *To Mend the World*, Jewish theologian Emil Fackenheim tells a story about a group of young women in Auschwitz who wanted to observe Yom Kippur. The women requested permission, the story goes, from their SS guard for lighter labor on that day so that they could fast and join in prayer along with other Jews throughout the world. Not only was their request denied, but they were also tasked with working overtime, and threatened with immediate death if they were seen to be lagging in their work. The young women fasted anyway, they worked hard, and when they broke their fast with stale bread, they felt satisfied. However, the success of their observance was soon called into question: the women had made a mistake. They fasted on the wrong day.

But rather than dismiss this Yom Kippur observance as simply a failure to follow the rules of the ritual, Fackenheim interprets the act's deviance as wielding power to effect theological and political change. “If the prayer that was in that fast was not heard, then no prayer on any Yom Kippur was ever heard, or could be heard,” he writes. “*Their* Yom Kippur necessitates a change in *our own*.”<sup>1</sup> What is at stake, for Fackenheim, in interpreting this Yom

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<sup>1</sup> Emil Fackenheim, *To Mend the World: Foundations of Post-Holocaust Jewish Thought* (Bloomington, IN: Indiana University Press, 1982), 322.

Kippur as one that necessitates change? Might the failure in this example be a part of the power of the Yom Kippur observance? What is the meaning of the right words uttered on the wrong day?

I open with this example because Fackenheim's interest in this particular ritual observance places failure at the center of his thinking—and mine—about Jewish life and thought after catastrophe. In *To Mend the World*, Fackenheim grapples with, or better, works through what he frames as philosophical and theological crises about, what the Holocaust has done to Jewish thought. How does catastrophe affect theological conviction, religious understanding, and ritual practice? For Fackenheim, the Holocaust presents Jews with an imperative to survive *as Jews*, and with this, his theological project reaffirms, among other things, the existence of a benevolent God in the wake of catastrophe. His strong post-Holocaust theological convictions set him apart from other Jewish theologians of his generation, like Richard Rubenstein for example, for whom after Auschwitz God is dead.<sup>2</sup> Due to the spectrum of theological stances, we can imagine a different interpretation of the Yom Kippur story that argues that the women's mistake is theologically definite, in that the error voids the ritual of any power. But Fackenheim instead interprets this aberrant Yom Kippur as the one that changes all subsequent observances. Why does he interpret and deploy the story in this way? And what does the interpretation do to our understanding of ritual and failure?

For the questions I pose about this example, Fackenheim's interpretation and use of the story are more significant than the story itself. We can approach Fackenheim's interpretation performatively—that is, by focusing on what the example is doing in the text and on what it

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<sup>2</sup> See Richard L. Rubenstein, *After Auschwitz: History, Theology, and Contemporary Judaism* (Baltimore, MD: The Johns Hopkins University Press, 1992). We cannot totally oppose Fackenheim and Rubenstein's projects, as both thinkers display optimism and pessimism in their post-Holocaust thought.

allows for him to say. A performative analysis of Fackenheim's Yom Kippur story brings together ritual theory and speech act theory—a move that recent work in religious studies has been making. Such work turns to speech act theory to explain how rituals work performatively by acting in accordance with a set of rules that governs their success, and by emphasizing how ritual acts create, maintain, and disrupt certain situations and relations in our social worlds. But within the literature on ritual and performativity, as I have argued in the previous chapter, there is little attention to those rituals that break the rules, on rituals that go wrong, perhaps *productively wrong*. What does it mean for an act to fail? Might failure ever be a good thing? And how do we narrate that failure?

This chapter offers a reading of Fackenheim's reading of a failed ritual. Through my reading, I theorize what I call both *narrativizations of ritual* and *ritualizations of narrative*. These formulations call attention to how our understandings of ritual are guided by how we write about ritual, and in this way, further identify both narration and ritual as performative practices that rely on repetition and citation.<sup>3</sup> Genre, I suggest, is key to teasing out this dynamic because stories are classified *as* genres, and they are also told *through* genres. As Hayden White explains, genre is not just a function of fiction; histories are narrated through genre as well. The tragic and the comic, for example, are just two modes through which a story can be narrated, and any given story can be narrated in more than one way, and also through multiple genres at the same time. Narratives function by recourse to what we might call a repertoire of genres: the cache of various

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<sup>3</sup> Saidiya Hartman's critical fabulation affirms historical narratives as performative. Her project performs "the limits of writing history through the act of narration." Saidiya Hartman, "Venus in Two Acts," *Small Axe*, vol. 12, no. 2, pp. 1-14 (2008), 13. Her characterization of the archive is also relevant to this chapter: "Infelicitous speech, obscene utterances, and perilous commands give birth to the characters we stumble upon in the archive. Given the condition in which we find them, the only certainty is that we will lose them again, that they will expire or elude our grasp or collapse under the pressure of inquiry" (ibid., 6). And in Butler's gender theory, they understand performativity as "the reiterative and citational practice by which discourse produces the effects that it names." Judith Butler, *Bodies That Matter* (New York: Routledge, 2011), xii.

possible modes of explanation through which a story can be told. Different genres, then, represent different possible explanations of a given story. I offer this as one way to talk about ritual acts—how their narrations provide their meanings. In the case of ritual failure, we might imagine a tragic narrative in which an aberration from the rules of the ritual is considered to be categorically bad or an affront to the wellness of the ritual system; this kind of narrative likely advocates for remediation to the pre-existing rules that were broken. But we might also imagine a more comedic narrative, in which the ritualists find humor in their mistakes, perhaps, or in which the aberration results in something unexpected, like a revision to the ritual procedure or even its undoing. And in the course of this chapter, I will articulate a third option, in which iteration marked by difference does not undo the ritual procedure, but sustains it.

Genre, then, provides the scaffolding that assists to generate meaning out of failure. In other words, what we make of a failed act depends largely on how we choose to narrate it, or on how the act insists on narrating us into it. Is the failure damaging to the ritual system? a challenge to traditional practice? an opportunity for new relations or practices to come into being? commonplace, unremarkable, or ordinary? Just as ritual acts are communicated through narrations, we can also talk about how narrations themselves work ritually, following Judith Butler's work on gender performativity, as ritualized repetitions (and possible disturbances) of norms.<sup>4</sup> A narrative relies on the conventional themes and tropes of its genre to produce intended (or unintended!) effects and meanings, and also on variation and play within those same conventions. For example, Holocaust narratives predominantly operate through tragedy—a genre

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<sup>4</sup> Thinking on the relationship between the body's materiality and gender performativity, Butler explains how sex/gender norms also function as regulatory practices. They argue that "the materiality of sex is constructed through a ritualized repetition of norms." Butler, *Bodies That Matter*, ix. In the following chapter, I develop this point further, and argue for a reading of Butler as offering what we might call an account of *gender ritual*. The link between ritual and performativity is already necessary to make this claim.

that inhabits the gravity of the event that it represents. But as I will later argue with Terrence Des Pres, the overbearing presumption of tragedy makes it difficult to thematize the Holocaust otherwise, to break out of scripted ways of doing Holocaust memory that may have come to feel rote and whose impact is blunted by time. As is clear in this case, following White, genre explains how we apprehend, explain, and think about historical events, which is to say that perhaps genre itself also works performatively through the ritualized repetition of narrative. To distill this point: ritual is narrated and this narration occurs through genre, which operates performatively and shapes in turn how we narrate ritual acts, perhaps sometimes even birthing new genres.

I am interested in Fackenheim's Yom Kippur story because he finds in it evidence for Jewish survival in a ritual act that deviates from conventional practice. The story comes at the very end of *To Mend the World*; his post-Holocaust thought thus culminates in a story about a ritual act—one that goes wrong. Earlier in the text, Fackenheim claims that "[a]ll writing about the Holocaust is in the grip of a paradox: the event must be communicated, yet is incommunicable."<sup>5</sup> But his writing about the Yom Kippur in Auschwitz does communicate something. When Fackenheim tells the story, he is importantly participating in rituals of Holocaust narration—rituals that function performatively in genre as modes of explanation. The central question of *To Mend the World* is: how can Jewish thought expose itself to the Holocaust and survive? But this question, I argue in this chapter, belongs to a tragic genre of Holocaust memory that requires Jewish thought to always be tethered to past trauma rather than open to future possibility. We must apprehend Fackenheim's Yom Kippur story in the context of this larger narrative.

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<sup>5</sup> Fackenheim, *To Mend the World*, 26.

This chapter accordingly develops the central claim of the dissertation: that the possibility of failure is a constitutive feature of ritual acts. Where J. L. Austin's performative criteria regulate convention, Fackenheim's interpretation of the Yom Kippur in Auschwitz—performed on the wrong day—transforms an aberrant ritual observance into the one with which all others must reconcile and from which future ones must depart. Does this mean that Fackenheim insists that, in Austin's terms, the infelicitous act was in fact felicitous? Under what circumstances might such a failed ritual be read as exemplary? The dissertation puts theory of ritual into conversation with performativity in order to interrogate the performative work of failed rituals—the political implications of which have been explored in philosophy of language and gender studies but remain undertheorized in the field of ritual studies. In this chapter, I bring a performative analysis of ritual to bear on Fackenheim's interpretation of the Yom Kippur in Auschwitz, which, I argue, is an example of an infelicitous ritual that is efficacious—an act that is performed in violation of the ritual's rules but with consequential effects. The infelicitous observance is evidence that Jewish rituals have survived the Holocaust even though, or perhaps precisely because, it deviates from normal procedure. I diagnose Austin's vocabulary around performative failure as affectively tragic: for him a performative gone wrong is *unhappy*, *infelicitous*, an *ill* or a *sin*. But I also read Austin's judgment of performative infelicity as marshalling another narrative in which failure is the very stuff of ritual. Reading Austin against himself or, better, against his heirs, we can build toward a performative theory of ritual failure in which infelicity is not presumptively tragic—Austin himself offers comic readings of infelicity in the text. And reading Fackenheim performatively, we can instead narrate the failed Yom Kippur as a refusal to be consigned to tragedy's abyss. Ritual failure, on this account, emerges as

a generative source for ethical and political possibilities that breaks out of rote ways of thinking, writing, and remembering the past.

A performative reading of Fackenheim's example raises questions about what constitutes success in ritual, and what it means for success to be figured as a governing standard of ritual acts and their narrations. It also raises the performative question of what Fackenheim is *doing* with the example in the text: what does this particular narration of an aberrant ritual observance betray about Fackenheim's post-Holocaust thought? A performative approach is one way to narrate Fackenheim's interpretation. It is a narration that brings focus to how we write about ritual *and* to how our writing takes ritualized forms. With this double focus on narratives of ritual and rituals of narrative, I argue that, through his use of the Yom Kippur story, Fackenheim figures the Holocaust as the authority of Jewish survival, and Hitler as a necessary motive. But with this same story of a ritual gone wrong, we can also uncover the possibility of a different narration—one that decenters tragedy from the Jewish experience and centers instead the persistence and resistance of Jewish ritual in the face of catastrophe.

### *Ritual infelicity*

J. L. Austin introduced the categories of constatives and performatives to speech act theory in *How to Do Things With Words*. For Austin, a constative utterance is a statement that can be evaluated as either true or false—often, but not always, a description. A performative utterance, on the other hand, is an utterance that “indicates that the issuing of the utterance is the

performing of an action.”<sup>6</sup> Performative utterances do not just communicate; they *do* something. They can bring new situations and relations into being, and they can also, I would argue, work to reinforce the status quo. Austin’s classic examples of performative utterances include: “‘I do (sc. take this woman to be my lawful wedded wife)’—as uttered in the course of the marriage ceremony”; “‘I name this ship the *Queen Elizabeth*’—as uttered when smashing the bottle against the stem”; “‘I give and bequeath my watch to my brother’—as occurring in a will”; and “‘I bet you sixpence it will rain tomorrow.’”<sup>7</sup> In each of these examples, to say is to do.

Importantly, for Austin, a performative utterance must meet certain criteria in order to be successful. As Shoshana Felman observes, Austin substitutes his truth/falsity criteria as applied to constatives for his doctrine of infelicity as applied to performatives: performatives cannot be judged as true or false, but can be judged as successes or failures.<sup>8</sup> The six rules that comprise Austin’s criteria are detailed as follows, and they must all be satisfied for a performative to be successful:

- (A. 1) There must exist an accepted conventional procedure having a certain conventional effect, that procedure to include the uttering of certain words by certain persons in certain circumstances, and further,
- (A. 2) the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.
- (B. 1) The procedure must be executed by all participants both correctly and
- (B. 2) completely.
- (F. 1) Where, as often, the procedure is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must have those thoughts or feelings, and the participants must intend so to conduct themselves, and further
- (F. 2) must actually conduct themselves subsequently.<sup>9</sup>

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<sup>6</sup> J. L. Austin, *How to do Things with Words*, (Cambridge, MA: Harvard University Press, 1975), 6.

<sup>7</sup> Austin, *How to*, 5.

<sup>8</sup> Shoshana Felman, *The Scandal of the Speaking Body: Don Juan with J. L. Austin, or Seduction in Two Languages*, (Stanford, CA: Stanford University Press, 2003), 7.

<sup>9</sup> Austin, *How to*, 14-15.

In accordance with these rules, a performative can either be *happy* (i.e. it follows the rules) or *unhappy* (i.e. it breaks the rules). For these characteristics of performatives, Austin uses the terms *felicitous* and *infelicitous*. The words that Austin employs to scaffold his criteria here points to the normative affective undertones of success and failure that undergird his philosophy of language: success *feels good*, it makes us *happy*, while failure on the other hand carries a melancholic mood readily legible for tragic representations. As Austin lectures us on how to do things with words, his words are doing things too! Felman interprets Austin's metrics for performative judgment as "criteria of desire," as she reads a sense of satisfaction in his language around performative success. Failure or infelicity thus implies a "lack of satisfaction."<sup>10</sup> If felicity is to be *desired*, then infelicity is *undesirable*. This begs the questions: why must we be *unhappy* with failures? Why should we be *dissatisfied* when our actions deviate from the normative standards of correctness and completeness? But also, must we take Austin at his own word?

For Austin, a performative is felicitous if it *follows the rules*, if it consists of conventional procedures that produce conventional effects, appropriate persons and circumstances, correct and complete execution, and participants who conduct themselves in accordance with conventional thoughts and feelings. But, Austin writes, "[i]f we sin against any one (or more) of these six rules, our performative utterance will be (in one way or another) unhappy."<sup>11</sup> Therefore, "certain conditions have to be satisfied if the utterance is to be happy—certain things have to be so."<sup>12</sup> The connections that Austin builds between failure, unhappiness, and sinfulness affectively lend to narratives of a tragic sort. For example, in a hypothetical scenario (many of his examples are

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<sup>10</sup> Felman, *Scandal*, 74.

<sup>11</sup> Austin, *How to*, 15.

<sup>12</sup> *Ibid.*, 45.

hypothetical scenarios!), Austin claims we all must be in agreement that when a person names a ship *Mr. Stalin* when they are unauthorized to do so it “is an infernal shame.”<sup>13</sup> Austin’s submission that “certain things have to be so” can thus be read as a tragic orientation toward rules: demanding a fixity to things as they are and a prohibition on improvising or subverting an existing norm.

Yet, at the same time, Austin also regards the need for performatives to follow the rules in order to be felicitous as a trivial conclusion. For example, he references scenarios like marrying a monkey and baptizing penguins and dogs, as if to highlight some inherent or obvious ridiculousness in conventional acts that are performed with inappropriate actors.<sup>14</sup> Austin labels this specific kind of infelicity *misapplication* to refer to violations of rule A. 2—that “the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.”<sup>15</sup> These particular examples, however, signal to contexts in which much more is at stake than penguins and dogs. Interpreters of Austin in feminist and queer thought have criticized his trivializing and exemplarity of the marriage example as working to heteronormalize marriage and, by extension, the performative.<sup>16</sup> And, as I have argued in chapter one, there is a relation in Austin’s philosophy of language between the trivial and the tragic that gets adopted into ritual studies’ uptake of his performative theory. But to press this observation

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<sup>13</sup> Ibid., 23.

<sup>14</sup> The example of penguin baptism is likely a reference to the political satire *Penguin Island* (1909), in which a missionary lands on an island of penguins, mistakes them for humans, and baptizes them. A baptism, of course, is a ritual act, and one that can go ‘wrong’ even when there aren’t any penguins involved. I am reminded here of a story that John Locke tells in his *Essay Concerning Human Understanding* of the baptism of the Abbot of St. Martin, whose figure Locke describes as more monstrous than human. There is much deliberation over whether or not the Abbot should be baptized, as is it unclear whether or not he is the appropriate actor for the ritual act. The deliberations never resulted in a clear decision, and so the Abbot was baptized *provisionally*. A performative question to ask here would be about what the case of the Abbot *does* to the practice of baptism. John Locke, *An Essay Concerning Human Understanding*, ed. by Kenneth P. Winkler (Indianapolis, Indiana: Hackett Publishing, 1996). Provisionality, interestingly, seems essential to Austin’s performative theory. The constative/performative distinction is itself provisional, dispelled by Austin by the middle of *How to Do Things With Words*.

<sup>15</sup> Austin, *How to*, 15

<sup>16</sup> See, for example, Eve Kosofsky Sedgwick, “Queer Performativity,” and Felman, *Scandal*.

further in the context of our example here, we may ask: what does a performative analysis of ritual tell us about ritual acts that break with convention? What would Austin make of Fackenheim's Yom Kippur story?

Molly Farneth's recent book, *The Politics of Ritual* (2023), takes up Austin's performativity to argue for an understanding of rituals as performatives. By this she means, rituals are "actions that effect a change in the social world."<sup>17</sup> Farneth offers what she calls a "social practical account" of rituals that attends to its political significance. "In particular," she writes, her project "considers when and how rituals contribute to just and democratic politics. It also reflects on how people adapt existing rituals or create new ones in order to redraw boundaries or redistribute goods, including power, around and within their communities. It argues, moreover, that these adaptations and innovations are part of a dialectic of continuity and change that is *always* part of people's ritual life, rather than an idiosyncratic feature of modern religion or politics."<sup>18</sup> Farneth's social practical account of ritual depends on her explication of what rituals *do*: rituals define boundaries, distribute goods, intensify values, shape habits and dispositions, and symbolize and express beliefs and passions.

As social practices, Farneth says, rituals are acts "in which power is deployed and contested; they can also enact the power relations in a group. These power relations determine who has the authority to institute rituals or to change them, who is allowed to participate in them, what the rewards and punishments are for participating or refusing to participate in them, and even, in some cases, who, *as a result of participating in the ritual*, gains or loses power and authority."<sup>19</sup> On Farneth's performative account, rituals do a lot, and therefore, we can

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<sup>17</sup> Molly Farneth, *The Politics of Ritual*, (Princeton, NJ: Princeton University Press, 2003), 40.

<sup>18</sup> Farneth, *The Politics of Ritual*, 14.

<sup>19</sup> *Ibid.*, 46.

extrapolate, a lot is at stake when they don't go as planned. For the purposes of this chapter, I focus mainly on these parts of Farneth's argument—the ones directly engaging performativity—because I am interested in what *failed* rituals *do*.

“Rituals that move participants across boundaries, changing their roles or statuses, and distributing goods and ills to them and others, are *performative*,” Farneth writes. “By that, I don't mean that they're merely theatrical. Much to the contrary. What I mean is that they bring about a real change in the social world. As a result of an initiation ritual, someone who was not a member of the group is now a member. Or, as a result of a coronation, someone who did not have the authority of a king now does.”<sup>20</sup> Performativity is a useful lens here because it attends to how conventional acts have significant consequences and political value. The claim that rituals are political must be understood performatively as well, since, on Farneth's analysis, they are political in part because political actors create and maintain communities through ritual practices. But understanding rituals as performatives in this way begs questions about what it means for rituals to be done correctly—or not.

Austin's rules set up a criterion for judging performative acts as successes or failures in accordance with conventional norms and regulations: if a ritual can be done right, then surely it can be done wrong! His doctrine of infelicity accounts for this to a certain extent: infelicity, he says, “is an ill to which *all* acts are heir.”<sup>21</sup> In fact, it is a “general character” of “all *conventional* acts”—ritual being very much one such conventional act.<sup>22</sup> Again here, Austin coincides performative failure with *disease*, even as he claims that all acts may be plagued by wrongdoing, which contributes to a tragic narrative of deviant acts in which infelicity is figured as a tragic

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<sup>20</sup> Ibid., 91.

<sup>21</sup> Austin, *How to*, 18.

<sup>22</sup> Ibid., 19.

flaw. But I argue that there are other ways to narrate infelicity. Because ritual conventions are typically common knowledge among practitioners, felicity is to be expected, yet the possibility of something going wrong problematizes felicity as a performative's guaranteed outcome. If performative utterances are always subject to failure, then the risk of failure is a condition of performative speech.

Indeed this is Derrida's point about performatives in his critique of Austin in "Signature, Event, Context": "Austin does not ponder the consequences issuing from the fact that a possibility—a possible risk—is *always* possible, and is in some sense a necessary possibility... What is success when the possibility of infelicity continues to constitute its structure?"<sup>23</sup> Derrida is asking: what happens when we take a performative's possible failure to be a part of its structure, and maybe even a part of its success? But Felman reads Austin as doing exactly what Derrida claims that his analysis ignores: the eventual breakdown of the constative/performative distinction situates failure *inside* the speech act—a performative is "capable above all of the act *of failing*, of missing or of losing ground."<sup>24</sup> Butler picks up this line of thinking in *Notes Toward a Performative Theory of Assembly*. On the subject of gender, they write: "The possibility of missing the mark is always there in the enactment of gender; in fact, gender may be that enactment in which missing the mark is its defining feature."<sup>25</sup> Farneth, too, attends to the stakes of failed ritual acts in her work. She argues that rituals, like performatives, must be understood to contain creative as well as conservative aims: rituals are "creative acts" that "don't merely reproduce existing social relations and structures."<sup>26</sup> Ritual's irreverence and creativity is

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<sup>23</sup> Jacques Derrida, *Limited Inc.* (Evanston, IL: Northwestern University Press, 1988) 15.

<sup>24</sup> Felman, *The Scandal of the Speaking Body*, 44.

<sup>25</sup> Judith Butler, *Notes Toward a Performative Theory of Assembly*, (Cambridge, MA: Harvard University Press, 2018), 30.

<sup>26</sup> Farneth, *The Politics of Ritual*, 43.

due to its capacity to fail. Ronald L. Grimes brings Felman and Farneth together on this point: “there is no unchanging ground either inside ritual or outside it.”<sup>27</sup>

The possibility of success holds open the possibility of failure for Derrida, and missing the mark is a constitutive element of gender performance for Butler. And for Farneth, rituals that go off script call attention to ritual’s prefigurative power: a ritual that goes unexpectedly may bring about something new or at least rehearse something new that is still forthcoming.<sup>28</sup> I argue, with these accounts, that failure is a defining feature of ritual. Rituals are always at risk of failure and so they are meaningful in part precisely because they can go wrong.

Adopting Austin’s criteria, rituals are thus considered felicitous when they follow the rules, or when they are deemed *happy*. As Farneth explains, “two betrothed people who utter the words ‘I do’ must do so *in the right way* and *under the right conditions* for their words to constitute the undertaking of a vow of marriage. They would have to be consenting adults, in the presence of witnesses and before an officiant who is authorized to lead and sanction the ceremony.”<sup>29</sup> For example, two children who say “I do” before a pet frog as their officiant do not utter the words in the right way or under the right conditions for the utterance to be considered felicitous. But by performing and failing to follow the script, the two children are still *doing* something. Their utterance, while done in the wrong way and under the wrong conditions, is still related to successfully enacted marriage vows. Indeed, the failed ritual evokes the successful one, and in so doing, upholds it as the normative, authoritative standard. The failed marriage ceremony also functions to socialize the children into a world in which marriage itself is a

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<sup>27</sup> Ronald L. Grimes, “Improvising Ritual,” in *Reassembling Democracy: Ritual as Cultural Resource*, ed. by Graham Harvey, Michael Houseman, Sarah M. Pike, and Jone Salomonsen (London: Bloomsbury Academic, 2021), 21.

<sup>28</sup> The next chapter builds on this point from Farneth, by engaging her example about an ordination of women priests, with particular attention to the failed ordination that predates it.

<sup>29</sup> Farneth, *The Politics of Ritual*, 92-93.

normative ritual act. As Eve Kosofsky Sedgwick has pointed out, the example of the marriage ceremony is “so central to the origins of ‘performativity’ (given the strange, disavowed but unattenuated persistence of *the exemplary* in this work) that a more accurate name for *How to Do Things with Words* might have been *How to say (or write) ‘I do,’ about twenty million times without winding up any more married than you started out.*”<sup>30</sup> Austin’s exemplary example, Sedgwick argues, relies on a logic that gives preference to the male subject who secures his agency within a heterosexual marriage. The critique reveals the heteronormativity imbued in Austin’s performativity, and how the stakes in the marriage ceremony example are much higher than two children who say “I do” before a pet frog.

For Austin, felicitous rituals are those that do not go wrong and infelicitous rituals are those “in which something *goes wrong* and the act—marrying, betting, bequeathing, christening, or what not—is therefore at least to some extent a failure.”<sup>31</sup> In the context of Fackenheim’s Yom Kippur story, the young women failed to observe the holiday under the appropriate circumstances, and a miscount resulted in an infelicity. By turning to Moishe Prager’s *The Sparks of Glory*—the volume of testimonies in which Fackenheim came across the story—we discover that the women learned of a group of men who had earlier observed Rosh Hashanah, and they began their count to Yom Kippur from the day of the men’s prior observance. But it is never disclosed how the women came to know of their mistake, nor if the men’s Rosh Hashanah observance was also revealed to have been mistaken. We only know that at least one of the women involved felt “‘a bitter disappointment’” on account of the error.<sup>32</sup>

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<sup>30</sup> Eve Kosofsky Sedgwick, “Queer Performativity: Henry James’s *The Art of the Novel*,” *GLQ*, vol. 1, pp. 1-16 (1993), 3.

<sup>31</sup> Austin, *How to*, 14.

<sup>32</sup> Moshe Prager, *Sparks of Glory*, (New York: Shengold Publishers, 1974) 70.

The Talmud makes mention of anxieties over correct ritual observance, demonstrating attention to the problems that may be inherent to rituals that adhere to a calendar. For example:

Rava would regularly sit in observance of the fast of Yom Kippur for two days, in case Elul had been declared a thirty-day month and Yom Kippur should be observed on what was observed in Babylonia as the eleventh of Tishrei. It once happened in accordance with his opinion. Elul had been declared a thirty-day month, and he was the only one who observed Yom Kippur on the correct day.<sup>33</sup>

Counting, in these scenarios, takes on ritual significance. Yet the ritual texts and traditions, through examples of miscalculations, seem to make allowances for deviation—something that Austin’s criteria is resistant to.<sup>34</sup> If this is the case, that incorrect ritual observance is allowed under certain circumstances by the ritual tradition, then why does it matter to name the Yom Kippur in Auschwitz as infelicitous?

A ritual may go wrong for various reasons. To name a few: ignorance or incompetence on the part of the participants, intentional desire to subvert the normative standards of the ritual, deliberate interference from an outside party, or accidental actions of a recognized group member or outside party. Failure due to a group member uttering words out of order by mistake is constitutively different from failure due to interference planned as a part of a hate crime, for example. Although different varieties of failure carry their own particular significance on the success and meaning of the ritual, these kinds of disruption (and others unmentioned) sentence a

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<sup>33</sup> BT Rosh Hashanah 21a.

<sup>34</sup> Fackenheim’s story calls to mind another tale that concerns abnormal Jewish ritual practice and the question of counting. In *The Sabbath World* (2010), Judith Shulevitz tells the story of a man stranded in the desert who wants to observe the Sabbath but he does not know what day it is nor when the Sabbath will arrive. How must he count his days? See Judith Shulevitz, *The Sabbath World*, (New York: Random House, 2010), 8-9. Bonnie Honig, in her article “Is Man a ‘Sabbatical animal’?” writes, “What underlies the choice is this most fundamental question, Shulevitz says: when time and space have disappeared, and life has no definition (perhaps when you are in Hannah Arendt’s ‘dark times’), ‘should you imagine yourself inside the skin of the first man or inside the mind of God?’ The Talmud’s answer is ‘the mind of God.’ Like God at Creation, the man stranded in the desert is faced with the need to ‘re-create the world.’ Either way, though, Shulevitz argues, whether your abandoned self is in Adam’s skin or God’s mind, the rabbis rightly teach ‘that all you have left under those circumstances is fantasy.’” Honig interprets this story as demonstrating how “fantasy is not just for diasporic or desert emergencies: it is for the every day... we are all beginners or commemorators of beginning.” Bonnie Honig, “Is Man a ‘Sabbatical animal’? Agamben, Rosenzweig, Heschel, Arendt,” *Political Theology*, vol. 20 no. 1, 2019, 13.

ritual to infelicity. If, on Farneth's account, successful rituals bring about change in the social world, then what do unsuccessful rituals do? What force do attempted-but-failed rituals carry?

Fackenheim's interpretation of the Yom Kippur in Auschwitz is just one manifestation of the story's impact. How Fackenheim reads the story is just as performative as the story itself. There are at least two levels of impact here: the effect the story has on Fackenheim's own thought, and the effects of Fackenheim's use of the story in *To Mend the World*. The story affects him as it does because of the concerns with which he receives and retells it, and we can, again, imagine that someone with different concerns might interpret the story in a very different way. For Fackenheim, the Holocaust was a catastrophic "event that called into question all things—God, man, the ancient revelation and the modern secular self-confidence, philosophic thought and indeed any kind of thought."<sup>35</sup> How must post-Holocaust Jewish thought confront this total rupture? What does Jewish life look like after Auschwitz? These are the questions that Fackenheim keeps returning to throughout the course of the book—demonstrating both an anxiety to find the answers, and a tragic acknowledgment that he may never find them. It remains interesting, then, that through an engagement with the Yom Kippur story, Fackenheim considers a case of infelicity as evidence for the survival of Jewish rituals after the Holocaust.

Fackenheim's interpretation in part testifies to the ways in which the Holocaust changed everything for him. Understanding the Holocaust as an "event that called into question all things," he argues that nothing was left untouched by the *Unwelt*—the anti-world—that marks an abyss between the then and the now.<sup>36</sup> Under this logic, Yom Kippur must change because the effects of the anti-world are all-consuming. Yet since he assigns this one example so much power in his post-Holocaust thought (as we will see, he hinges the survival of Jewish thought

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<sup>35</sup> Fackenheim, *To Mend the World*, 9.

<sup>36</sup> *Ibid.*

and the future of Judaism around the question of Yom Kippur), the story deserves attention beyond the simple claim that everything has changed. I argue that, through a performative account of ritual failure, the story reveals a counter-narrative in which some things, importantly, have not changed: ritual, constituted by the possibility of wrong, remains. In a strong sense, then, the failed Yom Kippur defied the anti-world and refused consignment to the abyss. It was both a worlding and world-making act—it testified to the humanity of the young women in a place that sought to take it away, and it prefigured a Jewish future built on ritual practice.

On this reading, it doesn't actually matter that the Yom Kippur was observed on the wrong day; what matters is that it happened at all. On this point, Fackenheim and I are in agreement. But where Fackenheim makes this story exemplary of failure and of, as we will see, the political stance that he supports with the story, I take it to uncover the ordinariness of failure and its centrality to ritual, which I read as a cornerstone of post-Holocaust Jewish life and thought. So I agree with Fackenheim's account of the Yom Kippur observance as infelicitous and efficacious, but I argue against the worldview that he develops out of it: a worldview that relies on a politics in which Jewish survival is unthinkable unless existentially linked to the Jewish state. In other words, we can locate our disagreement in the telling of the story, in the political uses of narrative.

### *Ritual narration*

I argue that we must read Fackenheim's Yom Kippur story as an *act of storytelling*. Just as I suggest that the women enacted a worlding and a world-making ritual, so too does

Fackenheim's narrativizing contribute to and develop out of a worldview. Hayden White's conception of emplotment is useful here. As we know from chapter one, emplotment, for White, is a particular form of explanation.<sup>37</sup> It describes how we go about making sense of the significance of historical stories through genre. Emplotment provides "the 'meaning' of a story by identifying the *kind of story* that has been told."<sup>38</sup> White treats the historical text as "a verbal structure in the form of a narrative prose discourse that purports to be a model, or an icon, of past structures and processes in the interest of *explaining what they were by representing them*."<sup>39</sup> By this, White forwards an understanding of history that focuses on the explanatory power of modes of representation: historical events are mediated by the models that represent them, and different models may provide different representations of the same historical event. White details five "levels of conceptualization in the historical work: (1) chronicle; (2) story; (3) mode of emplotment; (4) mode of argument; and (5) mode of ideological implication."<sup>40</sup> Historical chronicles describe the organization of the elements in a given historical field, typically ordered chronologically. In a historical chronicle, White says, "the event is simply 'there' as an element of a series."<sup>41</sup> It is thus the task of the historian to "arrange the events in the chronicle into a hierarchy of significance by assigning events different functions as story elements in such a way as to disclose the formal coherence of a whole set of events considered as a comprehensible

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<sup>37</sup> In "Storytelling" in *The Fiction of Narrative*, White writes that "While the emplotment of a sequence of real events as an epic, tragedy or farce is hardly to be considered a scientific explanation thereof, it is nonetheless a kind of explanation. A narrative explanation implicitly invokes principles of classification, characterization, causation, and meaning that are at least analogous to those used in the physical sciences to explain natural events and processes. That such principles are culturally determinate does not deprive them of their authority as explanations." Hayden White, "Storytelling" in *The Fiction of Narrative: Essays on History, Literature, and Theory 1957-2007*, ed. by Robert Doran (Baltimore, MD: The Johns Hopkins University Press, 2010), 280.

<sup>38</sup> Hayden White, *Metahistory: The Historical Imagination in Nineteenth-century Europe* (Baltimore, MD: Johns Hopkins University Press, 1973), 7.

<sup>39</sup> White, *Metahistory*, 2.

<sup>40</sup> *Ibid.*, 5.

<sup>41</sup> *Ibid.*, 7.

process with a discernible beginning, middle, and end.”<sup>42</sup> So, where chronicles are “open-ended,” stories “have a discernible form.”<sup>43</sup> The project of arranging chronicles into stories raises questions about the significance of the events represented. White’s third, fourth, and fifth levels of conceptualization function to answer such questions raised by historical stories.<sup>44</sup> For the purposes of this dissertation, I am particularly interested in the mode of emplotment.

White says that in the narration of a story, for example, if “the historian provides it with the plot structure of a Tragedy, he has ‘explained’ it in one way; if he has structured it as a Comedy, he has ‘explained’ it in another way. Emplotment is the way by which a sequence of events fashioned into a story is gradually revealed to be a story of a particular kind.”<sup>45</sup> The same story can be emplotted in more than one way, which means that different emplotments yield different explanations, and no story, White is clear, escapes emplotment: “every history, even the most ‘synchronic’ or ‘structural’ of them, will be emplotted in some way.”<sup>46</sup> No historical story is free from thematization through genre. We can say, then, that emplotments work re-iteratively, performatively, ritually.

Sometimes, then, certain emplotments may emerge as dominant or traditional, or function as a kind of normative standard with which a story’s content is evaluated and processed. In representations of the Holocaust, tragedy is overwhelmingly the dominant emplotment, and this is understandable given the horrific nature of the event. But in such dynamics where one emplotment or a particular cluster of emplotments reign over the treatment of historical events, other emplotments can get sidelined or ignored, and are judged as inappropriate modes of

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<sup>42</sup> Ibid. The historian’s arrangement in the transition from chronicle to story reveals how “‘invention’ also plays a part in the historian’s operations.” Ibid.

<sup>43</sup> Ibid., 6.

<sup>44</sup> Some such questions White identifies are “What does it all add up to?” and “What is the point of it all?” Ibid., 7.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid., 8.

explanation. In light of such trends, non-dominant emplotments can function doubly as an interruption of dominant discourses and as an alternative form of explanation that may open up the possibility for other kinds of response.

In his essay, “Holocaust *Laughter?*,” Terrence Des Pres notes how writing about the Holocaust is “at every moment governed by rulings” that “function as regulatory agencies to influence how we conceive of, and write about, matters of the Holocaust.”<sup>47</sup> In this way, Des Pres claims, Holocaust studies is an academic discipline like any other, which means, with White, that it is oriented around emplotted events and ideas. Des Pres categorizes these rules as fictions and he presents them as follows:

1. The Holocaust shall be represented, in its totality, as a unique event, as a special case and kingdom of its own, above or below or apart from history.
2. Representations of the Holocaust shall be as accurate and faithful as possible to the facts and conditions of the event, without change or manipulation for any reason—artistic reasons included.
3. The Holocaust shall be approached as a solemn or even a sacred event, with a seriousness admitting no response that might obscure its enormity or dishonor its dead.<sup>48</sup>

Here, De Pres criticizes conventional practices in Holocaust representation on three counts: the first rule requires the historical event to be lifted out of historical conditions, which I argue can also be described as a prohibition on comparison; the second figures accuracy to be the normative standard of representation; and the third accepts only seriousness as the appropriate mood through which to thematize the Holocaust. The result is “a sort of Holocaust etiquette that encourages some, rather than other, kinds of response.”<sup>49</sup>

Comedic representations are totally foreclosed by these criteria, which Des Pres finds problematic because the restrictions cheapen our responses to the Holocaust. He writes that

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<sup>47</sup> Terrence Des Pres, “Holocaust *Laughter?*,” in *Writing and the Holocaust*, ed. Berel Lang, (1988), 217.

<sup>48</sup> Des Pres, “Holocaust *Laughter?*,” 217.

<sup>49</sup> *Ibid.*, 218.

“tragedy’s serious style” compels us “to a standstill by the matter we behold.”<sup>50</sup> But when other-than-tragic interpretations emerge—which they inevitably do!—they are apprehended as violations of the sacred rules of representation and remembrance. Des Pres instead argues that comedic art forms “foster resilience and are life-reclaiming.”<sup>51</sup> Emplotments, therefore, are not neutral modes of explanation. Emplotments orient our understandings of events in particular ways, and they carry real ethical and political effects. Under the governance of rulings that influence our interpretations of rituals, for instance, some kinds of narrative explanations are welcomed while others are foreclosed. If told as tragedies, failed ritual acts can be read as failed attempts to gain inclusion or recognition within an existing model. In her study on ritual failure, Kathryn McClymond emphasizes the importance of the incorporation of error into ritual practice: “ritual correction is the lifeblood of a robust ritual system. Without the ability—and the will—to correct ritual mistakes, ritual systems expire or, at the very least, diminish their influence.”<sup>52</sup> This turn to recognition and inclusion is, then, a kind of normative standard in itself, as the absence of recognition is interpreted as the failure of the ritual act. This line of thinking gives way to more tragic narratives of ritual failure, in which deviation from the rule is figured as something that requires shoring up the rule—fixing, reconciliation, inclusion—by way of resignation to or remediation of the rule.

We can think of ritual failure as tragedy: just as the tragic hero fails to achieve his quest (condemned to failure by his tragic flaw), the infelicitous ritual fails to achieve the aims of the act. But we may read failed ritual acts instead as rehearsals, or prefigurations, for possible political realities. We might also think of ritual failure as comedy, in a broad sense. Comedy is

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<sup>50</sup> Ibid., 232.

<sup>51</sup> Ibid.

<sup>52</sup> Kathryn McClymond, *Rituals Gone Wrong: What we Learn from Ritual Disruption*, (New York, NY: Oxford University Press, 2016), 174.

not an essentially liberatory genre nor a clear-cut solution to the problem of tragic representation, and, to be sure, a comedic response to a failed ritual could also be disciplinary. But an inversion of genre promises deviation from the normative standard of narrativization. Much uptake of performativity in ritual theory focuses on the failure of specific acts rather than the failure of the model in which the act occurs, but shifting the narrative genre can bring focus to the model, to the greater context in which the act occurs and through which the meaning of the act is derived. For Fackenheim's Yom Kippur story, the possibility of a comedic reading depends on the possibility of something having gone wrong. The account that we have voices disappointment with the failure of the ritual. But we can otherwise imagine an account in which the women laughed at their mistake, the story transforming into a source of Holocaust hilarity. We cannot know, of course, but we can imagine, *What if they laughed?* This kind of thinking, Des Pres comments, displaces actuality and informs the narrative with a new perspective.<sup>53</sup> Turning to more of a tragicomic perspective better narrates the failure in the story that actually matters the most to Fackenheim: that a place such as Auschwitz exists marks severe moral and political failure. What I want to underscore here is that the meaning of failure in ritual is linked to the genre of the narrative through which the act is communicated. Following White, the same act or story can be subject to multiple emplotments.

Des Pres' critique of narrative regulations makes evident how presumptively tragic representations of the Holocaust "preserve the truth of the event by saying yes to the authority of the Holocaust over our spiritual lives, allowing its shadow to darken our judgment generally. We

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<sup>53</sup> In the essay, Des Pres examines three works of fiction that contain comedic representations of the Holocaust: Tadeusz Borowski's *This Way for the Gas, Ladies and Gentlemen* (1948), Leslie Epstein's *King of the Jews* (1979), and Art Spiegelman's *Maus* (1986). In each, Des Pres writes, "the world depicted is grotesque and exaggerated by virtue of its comic perspective. Of course, the actuality of the Holocaust is already exaggerated and grotesque. Here, however, actuality is displaced by fiction—by a *what if*—that is durable enough, and skillfully enough imposed, to inform the narrative with its own invented principle." Des Pres, "Holocaust *Laughter?*," 219.

guard the future by bondage to the past.”<sup>54</sup> Des Pres offers comedic representations as an alternative to tragic ones, since “the comic spirit ridicules what comes to pass. Laughter revolts.”<sup>55</sup> This, of course, does not mean that the Holocaust was not tragic, nor does it mean that we should entirely abandon tragic representations, but it does mean that tragedy ought not to be the Holocaust’s sole emplotment. When an emplotment is presumed in this way, the resulting narrative is made out to be a permanent norm, thereby dismissing deviant narratives as inappropriate or unserious. I take up comedy as a Jewish mode of memory and a Jewish ritual of survival in chapter four.

But for this chapter, there is a way that we can read Fackenheim’s use of the Yom Kippur in Auschwitz as participating in a ritualized narrative of the Holocaust that, in Des Pres’ terms, says “yes to the authority of the Holocaust.”<sup>56</sup> Fackenheim’s claim that Auschwitz left nothing untouched is in tension with an interpretation of the Yom Kippur fast as an act of resistance to that very totalizing logic. When read in its context—as a part of the conclusion of *To Mend the World*—the story that Fackenheim tells must be engaged as supporting his larger philosophical project. It is a project, on my reading, that tethers Jewish thought and life to the tragic historical past, and figures that tragic past as a dominant authority over the present and the future. This is not to suggest that the effects of the Holocaust are not ongoing. It is precisely to say that they are. But it is also to call attention to how Fackenheim’s interpretation of the Yom Kippur story is both a narrative of a ritual and also the expression of a ritualized form of narrative.

It is remarkable that a Yom Kippur observance happened in Auschwitz. Yet a Yom Kippur happened there, and it was a ritual observance that, for Fackenheim, “necessitates a

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<sup>54</sup> Des Pres, “Holocaust *Laughter?*,” 220.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

change in our own.”<sup>57</sup> Fackenheim explains how the Nazi anti-world “was dominated by a ‘logic of destruction’ that left untouched neither God nor man, neither hope nor will, neither faith nor thought.”<sup>58</sup> Surely, then, the anti-world obliterates any application of Austin’s criteria as well. What sense does it make to judge or invoke felicity and infelicity in Auschwitz? In part, Fackenheim seems to argue that adjudicating correct ritual observance in this case is a nonsensical and corrupt thing to do. But he also seems to want his readers to recognize this infelicitous act as an effective, even *exemplary*, performance of the ritual. So where other performative accounts of ritual focus on the failure of a specific act, this example pulls focus to the failure of the model in which the act occurs. How does the act take on new significance when we reorient ourselves to failure? How was it a response to the context in which it took place?

The Nazi concentration camps, as Hannah Arendt writes, were manufactured to produce senselessness. At the time, extermination was not a new tactic of totalitarian terror, but the Nazi extermination of the Jews had no purpose, Arendt says, and this is what made such acts unprecedented. She writes:

it is not only the non-utilitarian character of the camps themselves; the senselessness of “punishing” completely innocent people, the failure to keep them in a condition so that profitable work might be extorted from them, the superfluousness of frightening a completely subdued population, which gives them their distinctive and disturbing qualities, but their antiutilitarian function, the fact that not even the supreme emergencies of military activities were allowed to interfere with these “demographic policies.” It was as though the Nazis were convinced that it was of greater importance to run extermination factories than to win the war.<sup>59</sup>

Thus considering the context in which the Yom Kippur took place, a seemingly uncontroversial claim to make here would be: the ritual didn’t go wrong. Rather, the women were held captive in

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<sup>57</sup> Fackenheim, *To Mend the World*, 322.

<sup>58</sup> *Ibid.*, 24.

<sup>59</sup> Hannah Arendt, “Social Science Techniques and the Study of Concentration Camps,” *Jewish Social Studies*, vol. 12, no. 1, pp. 49-64, (1950), 50.

the Nazi logic of destruction. How could they possibly have kept count of their days? It is difficult to resist agreeing with this claim, and I do not mean to dispute it on superficial grounds. But the act as we know it happened on account of a breach in the ritual procedure—a breach that was and is always possible, a breach that resulted in a ritual act (or was the breach somehow the condition *for* this ritual act?) that refused to be consumed by the context of its occurrence. “The Nazi logic was irresistible, yet was being resisted,” Fackenheim says, “this is the enormous fact that must be grasped.”<sup>60</sup> Again, for a Yom Kippur observance to have taken place in Auschwitz is remarkable.

What do we make of ritual acts that betray normativity even as they attempt to remain faithful to it? In “Signature, Event, Context” Derrida asks: “Could a performative utterance succeed if its formulation did not repeat a ‘coded’ or iterable utterance, or in other words, if the formula I pronounce in order to open a meeting, launch a ship or a marriage were not identifiable as *conforming* with an iterable model, if it were not then identifiable in some way as a ‘citation?’”<sup>61</sup> The iterability of performatives means that they are always connected to and removed from their original context, so that the dual separation and relation of the performative from its original context is what provides its force. But iterability and citationality are also features of convention, and this is how performatives also function to maintain the status quo.

Rituals in part gain their status and authority through repetition: Yom Kippur is significant in part because it is observed once each calendar year. Rituals as performatives are therefore revealed to be citations to the acts that came before. This characteristic of ritual carries meaning as it connects participants to communities and long-standing traditions, *and* it also allows for variation. Fackenheim writes that the women in Auschwitz were “exhilarated by the

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<sup>60</sup> Fackenheim, *To Mend the World*, 201.

<sup>61</sup> Derrida, *Limited Inc.*, 18.

thought of Jews the world over sharing in” their fast.<sup>62</sup> Their ritual practice brought them into community with Jews outside of Auschwitz, into community with one another, and also into relation with God. The women intended to observe Yom Kippur in accordance with the normal rules of the ritual, and while living in traumatic conditions. Yet through their miscalculation, they did not conform—not completely—to the iterable model. What kind of success, if any, can we attribute to their observance? Their breaking of the rules was a sincere mistake, but as the story shows us, even sincere mistakes can disrupt systems of normative procedure—sometimes productively.

So, using Austin’s terms, one could say that the Yom Kippur observance actually was felicitous, or, that it was infelicitous but still achieved the aim of the ritual had it been completed correctly. This first judgment—that the Yom Kippur was felicitous—seems to undermine the influence of context in performativity: a Yom Kippur observed within a violent totalitarian regime is decidedly different from one observed during more peaceful circumstances. The women in Auschwitz chose to fast despite the threat of immediate death if they were seen to be lagging in their work—a threat *in addition to* the various other constant threats on their livelihood. And on the other hand, the second judgment—that the act was infelicitous but still achieved the aim of the ritual had it been followed correctly—misapprehends both the signification of proper ritual observance and also the particular impact that comes out of this particular observance. For Fackenheim, this Yom Kippur impresses its exceptionality upon all others. It is the Yom Kippur with which every other one must reconcile.

And there is yet, I suggest, a better argument to be made. For Austin, context matters: a performative is deemed infelicitous because of the context in which it takes place, but also

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<sup>62</sup> Fackenheim, *To Mend the World*, 322.

because of the unexpected impact it may have. In chapter four, I write about another case of ritual failure in an extraordinary context. In these narratives, the setting of the observance is as important as the prayers, and a betrayal can be figured as an expression of fidelity. Fackenheim writes that “[t]o ‘violate’ the Torah in order to protect it was not a violation but rather an interpretation.”<sup>63</sup> The Yom Kippur in Auschwitz was infelicitous because the context corrupted the possibility of normal observance. But given this claim, what does it matter to call a ritual act infelicitous when that’s all it could be?

As we know from Derrida, Butler, and others, repetition is integral to ritual procedure and practice. But repetitions, as Amy Hollywood notes, are “always marked by similarity as well as difference.”<sup>64</sup> This means that there is difference in every repetition, that there is variation even within felicity. (Chapter three will theorize variations and imperfections in ritual enactments as instances of *improvisation*.) It matters that no two ritual performances are exactly alike—even ones that are considered to be normal or successful. While Austin’s rules prohibit violation, they do allow for variation, so ‘difference’ is not necessarily a valid claim to infelicity. The Yom Kippur in Auschwitz was an infelicitous ritual act because it took place on the wrong day. Naming it as such calls attention to ritual’s contingency and unpredictability, and it exposes the performative impact of rituals that deviate from normative procedure.

Hollywood conjectures that rituals going wrong may open up new possibilities for subjects and their communities. She writes:

In changed conditions, performatives constitute new kinds of subjects and communities. Seen in this way, misfiring looks less like a danger than a possibility, one that opens room for improvisation and resistance within the very authoritarian structures (e.g., of child rearing, education, and religion) in which subjects are constituted. We do not freely choose ourselves or our communities,

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<sup>63</sup> Ibid., 323.

<sup>64</sup> Amy Hollywood, “Performativity, Citationality, Ritualization,” *History of Religions*, vol. 42, no. 2, pp. 93-115 (2002), 104-105.

nor are the worlds into which we are born absolutely determinative ones in which no new meanings can be performed. Instead, subjects and communities are created and sustained by the complex interplay of sameness and difference constitutive of repetition itself.<sup>65</sup>

If, on Hollywood's account, "[m]eanings are constitutive and generate that to which they refer,"<sup>66</sup> and, if, as Austin says, "infelicity is an ill to which *all* acts are heir,"<sup>67</sup> then failed rituals generate meaning as well, and they also put into question the standards by which a given act is deemed felicitous. As Jack Halberstam suggests in *The Queer Art of Failure*, "Under certain circumstances of failing, losing, forgetting, unmaking, undoing, unbecoming, not knowing may in fact offer more creative, more cooperative, more surprising ways of being in the world."<sup>68</sup>

Like Farneth's argument that accounts for ritual's creative and prefigurative power, Fackenheim's interpretation of the Yom Kippur in Auschwitz also suggests that rituals gone wrong also *do something*.<sup>69</sup> Infelicitous performatives, they both seem to argue, are not void of real consequences. For Fackenheim, "Yom Kippur after Auschwitz cannot be what at Auschwitz it still was. *Their* Yom Kippur necessitates a change in *our own*. This is a change to be approached cautiously and with care, for much—to the religious Jew all—is at stake in it."<sup>70</sup> With this claim, he suggests that the women's observance was in part inaugural; it started a new (iteration of the old) ritual. Yet Fackenheim never expands on what kind of change he has in mind. Is it a change in ritual activity, like the recitation of a new prayer? Or is the change more

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<sup>65</sup> Ibid., 115. Again, this point reminds me of how Judith Butler theorizes gender. "In a sense, all signification takes place within the orbit of the compulsion to repeat; 'agency,' then, is to be located within the possibility of a variation on that repetition. If the rules governing signification not only restrict, but enable the assertion of alternative domains of cultural intelligibility, i.e., new possibilities for gender that contest the rigid codes of hierarchical binarisms, then it is only within the practices of repetitive signifying that a subversion of identity becomes possible." Judith Butler, *Gender Trouble*, (New York: Routledge, 2007), 198-199.

<sup>66</sup> Ibid., 113.

<sup>67</sup> Austin, *How to*, 18.

<sup>68</sup> Jack Halberstam, *The Queer Art of Failure*, (Durham, NC: Duke University Press, 2011), 2-3.

<sup>69</sup> In the next chapter, I relate this power specifically to the perlocutionary force of a performative, with Farneth's example of a failed ordination of women priests.

<sup>70</sup> Fackenheim, *To Mend the World*, 322.

attitudinal, found primarily within the practitioner's own spiritual reflections? It is also not clear why Fackenheim thinks that this exceptional case requires us to reimagine all ordinary cases. How does what the young women did in Auschwitz necessitate a change in what all Jews do subsequently?

### *Narratives of Jewish survival*

Fackenheim does advocate elsewhere for a concrete change in Jewish tradition when he calls for the creation of a 614th commandment: that "*the authentic Jew of today is forbidden to hand Hitler yet another, posthumous victory.*"<sup>71</sup> He elaborates:

We are, first, commanded to survive as Jews, lest the people of Israel perish. We are commanded, second, to remember in our guts and bones the martyrs of the Holocaust, lest their memory perish. We are forbidden, thirdly, to deny or despair of God, however much we may have to contend with Him or with belief in Him, lest Judaism perish. We are forbidden, finally, to despair of the world as the place which is to become the kingdom of God lest we help make it a meaningless place in which God is dead or irrelevant and everything is permitted.<sup>72</sup>

For him this commandment requires survival and remembrance, and it forbids despair of God and the world. The commandment articulates various prohibited perishings: of nation, memory, body, belief, and hope. Though developed over a decade before *To Mend the World* was published, I suggest that we consider the 614th commandment as the change that the Yom Kippur story brings about for Fackenheim. In their fast on the wrong day, the women put their fidelity to God and world above all else. Yom Kippur observance now is an expression of

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<sup>71</sup> Emil Fackenheim, "The 614th Commandment" from "Jewish Values in the Post-Holocaust Future: A Symposium," *Judaism* 16 (Summer 1967).

<sup>72</sup> Emil Fackenheim, "Transcendence in Contemporary Culture: Philosophical Reflections and a Jewish Theology," in *Transcendence*, ed. Herbert W. Richardson and Donald R. Cutler (Boston: Beacon Press, 1969).

survival, of fidelity to God and to the world, and it must be done, Fackenheim seems to suggest, with awareness of these stakes. So to call the ritual *infelicitous and inefficacious* would result in there being a bad God who didn't hear the prayer in their fast. And to call it *felicitous and efficacious* would result in a breakdown of the ritual structure via an abandonment of any ritual convention. To call it *infelicitous and efficacious*, then, as I do, both maintains the high value of conventional ritual observance in Jewish religious life, and also reveals how ritual can fail productively only because failure is a risk of all ritual practice.

Having taken place under conditions of terror that attempted to annihilate all Jewish life, the failed Yom Kippur in Auschwitz is a rehearsal of a world to come and a nostalgia for a world the women once had. This is one reading of why, for Fackenheim, that "Yom Kippur after Auschwitz cannot be what at Auschwitz it still was. *Their* Yom Kippur necessitates a change in *our own*."<sup>73</sup> On this reading, to reject this change would be to show an infidelity to the women who innovated with courage, whose ritual failure transformed the ritual from within. Fackenheim interprets a violation of the rules of the ritual to be an expression of protection and fidelity, and it opens, for him, "a new page in the history of Judaism" that calls for a central fidelity to the event.<sup>74</sup> The Yom Kippur observed on the wrong day becomes a foundation that signals the possibility of ritual efficacy in and in the wake of atrocity, and it forges communities built on a future possibility. "We do not freely choose ourselves or our communities," Hollywood writes, "nor are the worlds into which we are born absolutely determinative ones in which no new meanings can be performed."<sup>75</sup> Although these conditions are the very grounds for failure, they do not have to be viewed as solely dangerous, or reason for despair, nor should they be. It is in a

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<sup>73</sup> Fackenheim, *To Mend the World*, 322.

<sup>74</sup> *Ibid.*, 324.

<sup>75</sup> Hollywood, "Performativity, Citationality, Ritualization," 115.

story of an infelicitous ritual act that prefigures a world fit for Jewish life and thought where Fackenheim finds the possibility for Jewish survival after the event that for him “called into question all things.”<sup>76</sup>

But we must also consider the larger context in which Fackenheim tells the story, and call into question the work that his interpretation is doing in the text. In an endnote, Fackenheim reveals that he encountered the story in Moshe Prager’s collected volume of Holocaust testimony titled *Sparks of Glory*. Prager’s text, like Fackenheim’s, marvels at the simple acts of resistance to the irresistible Nazi regime. Prager writes in his brief introduction to the book that “The words inscribed on this scroll are all witnesses. They were taken down directly from the heroes of the stories, who themselves did not realize they were heroes. These are true stories. They are all factual. They were all accurately recorded.”<sup>77</sup> Yet one cannot help but read Prager’s influence in the recording of these stories. He is actively narrating, organizing, and interpreting these accounts, while the book claims to present unmediated testimonies. Prager writes short prefaces to each chapter before he reproduces the words of the witnesses.<sup>78</sup> But the categories of accuracy and fact are not without mediation or even interference by the historical record. Prager’s editorializing constructs an affective memory-world in which witnesses are imbued with the grandeur of heroism, testimony carries an assumption of facticity, and survival conjures nothing less than triumph and glory.

The particular story that Fackenheim reproduces in *To Mend the World* is found in a chapter of *Sparks of Glory* titled “Five Yom Kippur Stories.” In his brief introduction to the

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<sup>76</sup> Fackenheim, *To Mend the World*, 9.

<sup>77</sup> Prager, *Sparks of Glory*, 3.

<sup>78</sup> Here, readers may recall Giorgio Agamben, who concludes his *Remnants of Auschwitz* with six pages of printed testimony from *Musselmänner*, claiming each testimony to be a kind of pure, untouched account. See Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. by Daniel Heller-Roazen (New York, NY: Zone Books, 1998), 166-171.

chapter, Prager writes: “The Day of Atonement, the holiest of days, underscores the essence of the Jewish people. It marks the Jews as a unique people, joining them together as one unified body. For this reason the wrath of Israel’s enemies was always inflamed on that holy day.”<sup>79</sup> Fackenheim also assigns heightened philosophical significance to Yom Kippur: “Jewish thought after the Holocaust” finds its “focus and concentration in a single [question] on which the future of Judaism depends. *After the Holocaust, can the Yom Kippur be what it was before? Is it still possible after all?*”<sup>80</sup> But, interestingly, he selects the one story from “Five Yom Kippur Stories” in which the witness narrates something going wrong during the observance. The witness confesses in Prager’s pages: “I must add that the story of our victory ends with a bitter disappointment.”<sup>81</sup> Why does Fackenheim derive personal philosophical affirmation out of a story that ends in disappointment?

Fackenheim’s theo-philosophical project in *To Mend the World* is also participating in a particular kind of Holocaust memory politics. He writes: “The Holocaust is a *caesura*, not only for the historian, the poet, the philosopher. It is a *caesura* also for the Jewish faith. Hence we must redefine our quest for *Teshuva* yet again, to read as follows: What is the fate of eternity in our time?”<sup>82</sup> In the next chapter, Yosef Hayim Yerushalmi’s Jewish thought will suggest to us that eternity should not be our concern. But here, Fackenheim’s quest after eternity betrays how his response to the Holocaust takes up a political orientation that is embedded in a narration of the Holocaust that forwards tragic attachments to history. Within the blueprint of Fackenheim’s political vision, Jewish survival is figured as a triumphant response to the 614th commandment, which, again, is that Jews are forbidden to give Hitler another, posthumous victory. The

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<sup>79</sup> Prager, *Sparks of Glory*, 66.

<sup>80</sup> Fackenheim, *To Mend the World*, 321.

<sup>81</sup> Prager, *Sparks of Glory*, 70.

<sup>82</sup> Fackenheim, *To Mend the World*, 320.

survivalism that emerges as a result thus positions Hitler (and with him, Nazism) as the central axis of Jewish survival.<sup>83</sup> For Fackenheim, Jewish survival after the Holocaust is inseparable from a Zionist politics in which Jewish survival is unthinkable unless linked to a Jewish state.

In the beginning of *To Mend the World*, Fackenheim writes that “Israel needs no justification through a link with the Holocaust. What the link does is make the Jewish state at once a moral necessity and an ontological near-impossibility.”<sup>84</sup> He continues:

Israel is a moral necessity: the bimillennial, unholy combination of Jew-hatred and Jewish powerlessness, always intolerable, is now *absolutely* so. (Hence the enemies of Israel must resort to absolute slander: the Israelis are “Nazis.”) Israel is also an ontological near-impossibility: the faith and the courage needed for founding, maintaining, building *this* state, enormous in any circumstances—after a catastrophe calculated to destroy all faith and all courage, not only among the cousins of the victims, but wherever the news reaches and is understood. And since the faith and the courage are nevertheless actual, Israel is nothing less than an orienting reality for all Jewish and indeed all post-Holocaust thought.<sup>85</sup>

Fackenheim concludes that Jewish life and thought is always in the business of responding to “epoch-making events.”<sup>86</sup> In his quest for foundations of future Jewish thought, Fackenheim decides on the Jewish state as the “orienting reality,” the necessity upon which Jewish survival rests. In a response to his student’s letter about *To Mend the World*, he seems to take comfort in the Holocaust not being “the only thing new that’s happening to us. The return of the Jewish people to Israel is surely in the centre of Jewish consciousness—and yet nobody really thinks about it philosophically.”<sup>87</sup> As Zachary Braiterman has argued, building on Michael Wyschogrod’s critique before him, in Fackenheim’s thought, “the State of Israel assumes the

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<sup>83</sup> Others have waged a similar critique. For example, Michael Wyschogrod argues, “I do not think that Judaism can be given a new hold on life by means of Auschwitz.” Michael Wyschogrod, “Faith and the Holocaust,” *Judaism*, vol. 20, no. 3, pp. 286-294 (1971), 288.

<sup>84</sup> Fackenheim, *To Mend the World*, 14.

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*

<sup>87</sup> Kenneth Hart Green, “Emil L. Fackenheim’s Response to a Letter: Reflections by the Author on *To Mend the World*,” *Journal of Modern Jewish Studies*, vol. 13, no. 3, pp. 436-458 (2013), 444.

superordinate status of a philosophical and theological signifier—a highly stylized, iconographic fetish rather than an empirical datum. The State turns into a point of revelation.”<sup>88</sup> For Fackenheim, the Jewish state seems to *mend* the total rupture created by the Holocaust: his philosophical thought, as he himself narrates it, was totally destroyed by the event of the Holocaust, and then saved, or reconstituted, by another “new thing”—the emergence of the Jewish state in response to the kind of survivalism that arises out of his political thought.<sup>89</sup>

Importantly, this mode of expression and response is not unique to Fackenheim nor to post-Holocaust Jewish thought more generally. Earlier Zionist thinkers like Leon Pinsker and Theodor Herzl engaged antisemitism as an eternal ideology that Jews must accept as a constitutive feature of this world.<sup>90</sup> Also in her essay “Zionism Reconsidered,” Hannah Arendt asks what Jews should do against antisemitism: “The answer to this, since Herzl’s time, has been an utter resignation, an open acceptance of antisemitism as a ‘fact,’ and therefore a ‘realistic’ willingness not only to do business with the foes of the Jewish people but also to take propaganda advantage of anti-Jewish hostility.”<sup>91</sup> Arendt continues to explain how, in this Zionist discourse, antisemitism “was never analyzed on its political grounds and in context with the general political situation of the time. It was explained as the natural reaction of one people against another, as though they were two natural substances destined by some mysterious natural law to antagonize each other to eternity.”<sup>92</sup> It may be fruitful, then, to situate the discursive aims

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<sup>88</sup> Zachary Braiterman, “Fideism Redux: Emil Fackenheim and the State of Israel” *Jewish Social Studies*, vol. 4, no. 2, pp. 61 (1997).

<sup>89</sup> Braiterman elaborates on a similar point: “Israel plays the role that faith in a supernatural God once played in Fackenheim’s earliest theological writings. It inspires wonder. It manifests supposedly contradictory human impulses such as self-reliance and religious hope. Fackenheim strikes a strongly fideistic attitude toward the State.” Braiterman, “Fideism Redux.”

<sup>90</sup> Pinsker and Herzl see the Jewish state as the only viable solution to European antisemitism. See Leon Pinsker, “Auto-Emancipation” and Theodor Herzl, “The Jewish State” in Arthur Hertzberg, *The Zionist Idea: A Historical Analysis and Reader* (Philadelphia, PA: The Jewish Publication Society, 1997).

<sup>91</sup> Hannah Arendt, “Zionism Reconsidered” in *The Jewish Writings*, ed. Jerome Kohn and Ron H. Feldman (New York: Schocken Books, 2007), 347.

<sup>92</sup> Arendt, “Zionism Reconsidered,” 358.

of a particular Zionist political project as operating within the genre of tragedy. As Hayden White explains, tragic reconciliations assert worldly conditions as “inalterable and eternal, and the implication is that man cannot change them but must work within them. They set the limits on what may be aspired to and what may be legitimately aimed at in the quest for security and sanity in the world.”<sup>93</sup> Efforts to singularize the Holocaust and eternalize the threat of antisemitism effectively lift associated historical events and ideologies up out of history. This is in line with Des Pres’s first fictional rule of Holocaust writing: “The Holocaust shall be represented, in its totality, as a unique event, as a special case and kingdom of its own, above or below or apart from history.”<sup>94</sup> Despite Fackenheim’s strong historicist commitments in *To Mend the World* and throughout his thought, I still read an element of eternity embedded in the politics that arises out of his narrativization of Jewish survival after the Holocaust.<sup>95</sup>

In his earlier *God’s Presence in History* (1970), for example, Fackenheim writes that “For a Jew today merely to affirm his Jewish existence is to accept his singled-out condition.”<sup>96</sup> This post-Holocaust position tragically links Jewish survival with a permanent condition of exceptionality in a permanently anti-Jewish world. On this account, Jewish hatred is as constitutive of the Jew as Jewishness itself. In contrast to what Michael Rothberg terms *multidirectional memory*—memory “as subject to ongoing negotiation, cross-referencing, and borrowing; as productive and not private”—Fackenheim’s Holocaust memory project constructs a representation of the Holocaust as wholly separate and unique from other world-historical

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<sup>93</sup> White, *Metahistory*, 9.

<sup>94</sup> Des Pres, “Holocaust *Laughter?*,” 217.

<sup>95</sup> In his review of *To Mend the World*, Arthur Cohen writes that Fackenheim figures the Holocaust as “an ultimate criterion for the critique of thought, because... [his] thought is deeply rooted in the historical.” Arthur Cohen, “On Emil Fackenheim’s *To Mend the World*: A Review Essay,” *Modern Judaism*, vol. 3 no. 2, pp. 225-236 (May 1983), 228.

<sup>96</sup> Emil Fackenheim, *God’s Presence in History: Jewish Affirmations and Philosophical Reflections* (New York: New York University Press, 1970), 81.

events.<sup>97</sup> From this starting point, Fackenheim's conception of Jewish survival is deferential to the authority of the Holocaust, to the command of what he calls "the Voice of Auschwitz." Indeed, in his review of *To Mend the World*, Arthur Cohen writes that "The preaching of such questions as does Yom Kippur have any meaning after the Holocaust? hardly makes sense. It makes total sense if one has... turned to stone, frozen with terror and truculence before the immensity of history."<sup>98</sup> Fackenheim likely flipped through the pages of Prager's *Sparks of Glory* with this question—and this paralyzed historical disposition—in mind.

What he discovered there was a confirmation of what he had already decided to be the foundations of post-Holocaust Jewish thought. Prager's rhetorical style, as I have argued, constructs a heroic and exceptional account of Jewish survival—even the collection's title impresses Prager's editorial vision upon the words reprinted inside. Braiterman's characterizations of Fackenheim's fideism for the State of Israel—"For Fackenheim, Israel evokes 'Jewish heroism'... [his] Zionist reflections prove less open to the ambiguities of Jewish history than to stylistically crafted historical images"—suggest that his narrative of Jewish survival is one that belongs to a brand of Holocaust memory that existentially links the Jew to the Jewish state.<sup>99</sup> In this sense, Fackenheim's post-Holocaust thought may be aptly described as a political theology—applying an absolute framework to a finite problem.<sup>100</sup>

Fackenheim's statist narrative evidences a tragic political orientation that limits Jewish thought to the historical events that confront it. But at the same time, his interpretation of the Yom Kippur in Auschwitz that was observed on the wrong day evidences the survival of Jewish

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<sup>97</sup> Michael Rothberg, *Multidimensional Memory: Remembering the Holocaust in the Age of Decolonization* (Stanford, CA: Stanford University Press, 2009), 3.

<sup>98</sup> Cohen, "On Emil Fackenheim's *To Mend the World*," 234.

<sup>99</sup> Braiterman, "Fideism Redux."

<sup>100</sup> Braiterman writes that in Fackenheim's thought, "Israel holds Hegelian and hence universal significance" Braiterman, "Fideism Redux."

ritual and life in the most dire of circumstances and through seemingly counterintuitive means. In this example, we encounter the failure constitutive of all ritual practice, the endurance of a ritual that cannot fail, and a story that can be told in more than one way. The women who chose to observe Yom Kippur in Auschwitz were not “turned to stone” nor “frozen with terror and truculence before the immensity of history,” but resolved to enact a ritual that carries the possibility of failure in the very occurrence of its enactment.<sup>101</sup>

There is a politics in the effort to tell a story. White’s emplotments are explanatory tools, not simply moods and modes. Emplotting ritual failure and its narrative representations illuminates one aspect of the politics that develops out of ritual practice and narrativizing. I have argued for an account of ritual as a world-making and transforming activity, which argues against Fackenheim’s ontologized view of Jews and antisemitism that imagines a future of continuous persecution. His narrative theoretically bypasses the transformative agency of the women who risked their lives to observe Yom Kippur, which is not in keeping with his claim that everything needs to change—an imperative that he makes manifest politically and philosophically in the State of Israel. For Fackenheim, not only Jewish survival, but also all post-Holocaust thought depends on the Jewish state as an orienting reality. But in the Yom Kippur story that he tells in service of this worldview, I find another orienting reality for Jewish survival and post-Holocaust thought: ritual practice that is made meaningful because success is never guaranteed.

To read Fackenheim’s Yom Kippur story performatively is to acknowledge that an alternative story exists already within the story he tells because storytelling is a *performative act* that never exhausts its possible doings. The next chapter works with an example of Holocaust

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<sup>101</sup> Cohen, “On Emil Fackenheim’s *To Mend the World*,” 234.

memory in which the possibility for narrative aberration has been technologically programmed away: the virtual witnesses from the USC Shoah Foundation's Dimensions in Testimony initiative. The virtual witnesses simulate personalized interactions with Holocaust survivors, but their narrative capacities are limited to the data collected during an interview and to the artificial intelligence that sorts through the data to source the best answer. What kind of story does a virtual simulation of a Holocaust survivor tell? And what kind of Holocaust memory politics feeds into and develops out of this new form of storytelling—should we accept that it is indeed storytelling?

### CHAPTER THREE

#### UNDER THE SHADOW OF FUNES: RITUAL, HISTORY, MEMORY

“Contrary to a theory widely held as late as the seventeenth century, a child left in the forest to its own linguistic devices would not speak Hebrew spontaneously, not even if it were a Jewish *enfant sauvage*, and neither would it ‘remember’ that Abraham journeyed from Ur to Canaan. Only the group can bequeath both language and a transpersonal memory.”

— Yosef Yerushalmi, *Zakhor: Jewish History and Jewish Memory*

“Wherever the relevance of speech is at stake, matters become political by definition, for speech is what makes man a political being. If we would follow the advice, so frequently urged upon us, to adjust our cultural attitudes to the present status of scientific achievement, we would in all earnest adopt a way of life in which speech is no longer meaningful.”

— Hannah Arendt, *The Human Condition*

The USC Shoah Foundation has poured money and other resources into their Dimensions in Testimony initiative—a new project that responds to the concern about what Holocaust remembrance will look like when there are no longer any living survivors to deliver their accounts first-hand. Dimensions in Testimony has turned living survivors into eternal, virtual witnesses, capable of conversation-like speech with human actors. The project conducted extensive interviews with “Holocaust survivors and other witnesses to genocide” so that “[n]ow and far into the future, museum-goers, students and others can have conversational interactions with these eyewitnesses to history to learn from those who were there.”<sup>1</sup> The virtual witnesses

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<sup>1</sup> “Dimensions in Testimony,” USC Shoah Foundation, University of Southern California, last modified 2026, <https://sfi.usc.edu/dit>. The initiative’s website explains how the technology works:

“The Dimensions in Testimony interviewee is recorded in a green-screen environment surrounded by cameras and in front of a microphone. The interviewer asks questions. Each answer is recorded as a separate video clip. About 1,000 questions are posed — and answers given. This results in a list of responses that can be prompted by questions posed verbally by audience members.

are on display at museums and memorial sites as interactive exhibits, where patrons can simulate speaking with a Holocaust survivor, even after the survivor has died. How are we to respond to these new forms of historical record? What kinds of responses do they provoke from us? What becomes of survivors' words when they are preserved artificially and definitively but engaged as though they are otherwise?

The virtual witnesses' speech is constrained to the words and phrases that were collected during their interviews. They cannot go off script or bear witness to anything new; their responses may not always suit the questions posed; and the technology may go awry—glitching or breaking down or not operating as promised. The virtual witnesses lack, therefore, what this chapter considers to be fundamental to both human action and memorial practice: improvisation. Improvisation is surely one feature, for example, of the Yom Kippur story that Emil Fackenheim tells in *To Mend the World*, which I engaged in the previous chapter. The women had to improvise most aspects of their observance, because a 'normal' observance was not available to them, and Fackenheim's own interpretation of the story carries an improvisational quality as well, as he uses it to bolster his defense of a Zionist politics in which Jewish survival is existentially linked to the Jewish state. Just as I present Fackenheim's interpretation of the story as enacting a particular narration of Holocaust memory, so too does Dimensions in Testimony offer a particular version of Holocaust memorialization. Born out of the concern that soon there will be no more living survivors of the Holocaust, Dimensions in Testimony produces a fixed

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"Using natural-language technology, the Dimensions in Testimony system transforms asked questions into search terms. The system then matches the search terms to the most appropriate interviewee response to your question and plays back the associated video clip, resulting in a conversational-like experience.

"The system logs every question and answer. To improve the accuracy of the system, trained staff at USC Shoah Foundation periodically review the system logs to make sure the most appropriate answer was chosen for each question. When necessary, staff manually link to the more appropriate response. As a result, the quality of the system improves with every question asked. The results are not immediate; rather, improvements take several days or weeks to process."

historical understanding of the Jewish past, an understanding that the technology eternalizes in its efforts to overcome memory's failures. In this way, *Dimensions in Testimony* is an example of what Irene McMullin has termed technological outsourcing—the reliance on technology to do our remembering on our behalf.<sup>2</sup>

I argue that we must situate *Dimensions in Testimony*, then, within enduring conversations about the relationship between history and memory—a conceptual pairing that has long preoccupied Jewish thinkers. In this chapter, I look at various cases that establish and/or close distinctions relevant to ritual, history, and memory. Perhaps most notable is Yosef Hayim Yerushalmi, who sets up a stark opposition between Jewish history and Jewish memory in his 1982 book *Zakhor*. Yerushalmi writes from an apparent paradox: for centuries historiography played little to no role among the Jews even as Judaism was “absorbed” with the meaning of history, but, at the same time, the historian was never the “primary custodian” of Jewish memory.<sup>3</sup> He leaves, however, the tension between Jewish history and Jewish memory unresolved. Yerushalmi's liturgical examples in *Zakhor* give way, I argue, to a performative account of Jewish memory. Jewish memory is a ritual activity, he argues in *Zakhor*, passed down from generation to generation. Yerushalmi demonstrates how Jews have traditionally remembered past atrocities through ritual enactments that performatively conjure the past for communal processing in the present. In this way, one thing that Yerushalmi's performative account of Jewish memory offers is an acknowledgement that the passing of Holocaust survivors

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<sup>2</sup> Irene McMullin, “The Amnesia of the Modern: Arendt on the Role of Memory in the Constitution of the Political” in *Philosophical Topics*, vol. 39, no. 2, (2011).

<sup>3</sup> Yosef Yerushalmi, *Zakhor: Jewish History and Jewish Memory*, (Seattle, WA: University of Washington Press, 1996), xxxiii. Hannah Arendt has observed similar trends. In her essay “The Enlightenment and the Jewish Question,” she notes that the history of the Jewish people is the foundation of their particularity. Yet the demands of the modern world ask Jews to relate to their past as foreigners. Jewish history, then, is what defines the Jewish people, but what doesn't really belong to them. The Jews are “a people without a history within history.” Hannah Arendt, “The Enlightenment and the Jewish Question,” in *The Jewish Writings*, ed. by Jerome Kohn and Ron H. Feldman, (New York: Schocken Books, 2007), 16.

is not as pressing a concern for Jewish remembrance projects as the Dimensions in Testimony initiative would make it seem.

What is a concern for Yerushalmi is that Jewish history has come to compromise Jewish memory in our modern age of *archive fever*.<sup>4</sup> He calls Jewish history *the faith of fallen Jews*. This is especially the case, Yerushalmi argues, in and in the wake of the Holocaust, with unprecedented efforts of documentation. Problematizing the historian's documentary impulse, Yerushalmi turns to Jorge Louis Borges' short story, *Funes the Memorious*, which he reads as a parable about modern historiography. The story revolves around a man named Ireneo Funes who sustains serious head injuries after falling from his horse and, as a result, he loses the ability to forget. After the accident, Funes' world becomes an endless series of independent happenings. He recalls "not only every leaf of every tree of every wood, but also every one of the times he

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<sup>4</sup> Jacques Derrida's theory of the archive is indebted to his reading of another one of Yerushalmi's texts that also deals with questions of Jewish history and memory: *Freud's Moses* (1991). Derrida's *Archive Fever* (1995) is the printed text of the lectures that he delivered in 1994 at a colloquium on memory and archive held in London. In *Archive Fever*, he diagnoses a fetishistic disposition toward the historical archive. For Derrida, the archive is always incomplete and destructive, always working "against itself," and always open to the future. Jacques Derrida, *Archive Fever: A Freudian Impression*, trans. Eric Prenowitz, (Chicago, IL: University of Chicago Press, 1995), 12. If, as he suggests, the original event disappears through its archival representations, then it would follow that the archive "produces as much as it records the event." Ibid., 17. Yerushalmi was also slated to present at the colloquium in London; but he fell ill, and his lecture had to be read in his stead. The paper was titled "Series Z: An Archival Fantasy," and I propose that we think of it as another contribution to the intertextual conversation staged between Freud, Yerushalmi, and Derrida. In "Series Z," Yerushalmi draws a distinction between archive and memory, not unlike the distinction he draws between history and memory in *Zakhor*. "Archives and memory have nothing in common," he provokes. "Memory is not an archive, nor is an archive a memory bank." Yosef Hayim Yerushalmi, "Series Z," in *The Faith of Fallen Jews: Yosef Hayim Yerushalmi and the Writing of Jewish History*, ed. by David N. Myers, and Alexander Kaye, (Waltham, MA: Brandeis University Press, 2013), 320. He questions those who revere "the archival document as somehow the ultimate arbiter of historical truth." Ibid., 323. He argues that an archive must remain naive and collect dust; it cannot be understood as a complete and comprehensive representation of its contents, nor as the documented "Past." Ibid., 324-325. Like Derrida who identifies an age of archive fever, Yerushalmi also warns against "the seduction of the archives." Ibid., 332. And so he concludes "Series Z" in a similar manner to how he concludes *Zakhor*—with an Angst about living in an age of information overload:

I ask your indulgence if I close on a personal, existential note. We live in a time when we are flooded with information in every field of endeavor, a deluge from which Freud scholarship is not exempt. It has become a veritable industry over which it is difficult to maintain even bibliographical control. The amount of sheer information increases incessantly. I confess that I have reached an age where I am haunted by the question of when information becomes knowledge. What I have presented here is only a special instance of that larger Angst. I am perhaps not yet old enough to seek the further line where knowledge becomes wisdom. Ibid., 332.

had perceived or imagined it.”<sup>5</sup> Funes is a repository of information, but he has no real thoughts of his own. On my reading, this also means that he lacks the ability to improvise. His infallible memory is his tragic flaw. Yerushalmi thus concludes *Zakhor* with a warning: “The shadow of Funes the Memorious hovers over us all.”<sup>6</sup>

On Yerushalmi’s account, Jewish memory operates through ritual. But I also see ritual at play in Jewish history, as a project that also relies on repetition and innovation, or, on improvisation. This chapter makes the case for a performative account of ritual according to which improvisation is essential to ritual enactments. Thinking deviation and improvisation together help us access the contingencies embedded within all ritual practice. In his essay “The Bare Facts of Ritual,” J. Z. Smith argues that there is a tension in ritual practice between *actual* and *ideal* enactments. In the context of the essay’s main example, bear hunt ceremonialism, this means that there is a tension between how the ritualists conceptualize their hunt and their actual means of hunting. This distinction could have led to a performative account of ritual in which imperfection is regarded as a necessary risk. But instead Smith suggests that the function of ritual is to *overcome* incongruities between practitioner’s words (their ritual accounts or narratives) and deeds (their ritual acts). Smith thus argues that ritual is *representational*, meaning that ritual always works to approximate the perfection it can never achieve. He accordingly concludes that the world *cannot* be compelled by ritual action because actual ritual enactments can never realize the ideal they seek after. The result is a clean, perfectionist picture of ritual that forecloses the possibility of improvisation and voids the potential for ritual change—even though Smith’s opening examples, as I show, narrate moments of improvisation in ritual. In contrast with Smith,

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<sup>5</sup> Jorge Luis Borges, *Funes the Memorious in Labyrinths: Selected Stories and Other Writings*, ed. Donald A. Yates and James E. Irby, (London, England: Penguin, 2000), 93.

<sup>6</sup> Yerushalmi, *Zakhor*, 102-103.

and with help from Ronald L. Grimes, Molly Farneth, Amy Hollywood, and others, I ask: what might we learn about ritual when we amplify rather than efface ritual's imperfections?

This chapter intervenes in ritual theory in order to talk about Jewish memory. I read the eternalized witnesses created by *Dimensions in Testimony* as spectral figures that carry out a particular genre of Holocaust memorialization: one that operates predominantly in the tragic mode. Like Funes' accidental unforgetfulness, *Dimension in Testimony* artificially programs failure away, and aims to overcome the improvisational character of history, memory, and their ritualized representations. Attending to improvisation in ritual, as I do in this chapter, resists memorial projects that foreclose openness to the future by remaining trapped in the past they seek to represent. In chapter four, I will suggest that attending to ritual's ungovernable qualities also introduces another genre to the repertoire of post-Holocaust history and memory: comedy.

### *Ritual, performativity, improvisation*

In his essay, "The Bare Facts of Ritual,"<sup>7</sup> Jonathan Z. Smith observes that ritual acts bring together opposing forces: "creation and chaos, good and evil, life and death, man and nature."<sup>8</sup> This claim has similarly been made by Catherine Bell and others, but Smith's aim here is to reveal such oppositions as incongruities that ritual functions to overcome.<sup>9</sup> "The Bare Facts

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<sup>7</sup> In the title, Smith puns the essay's primary example of bear hunting rituals.

<sup>8</sup> Jonathan Z. Smith, "The Bare Facts of Ritual," in *History of Religions*, vol. 20, no. ½ (1980), 118.

<sup>9</sup> In *Ritual Theory, Ritual Practice*, Catherine Bell writes that "despite the variety of avowed methodological perspectives and ramifications, there is a surprising degree of consistency in the descriptions of ritual: ritual is a type of critical juncture wherein some pair of opposing social or cultural forces comes together." Some such examples, she writes, "include the ritual integration of belief and behavior, tradition and change, order and chaos, the individual and the group, subjectivity and objectivity, nature and culture, the real and the imaginative ideal." Catherine Bell, *Ritual Theory, Ritual Practice* (New York, NY: Oxford University Press, 2009), 16.

of Ritual” begins with the scholar’s delight in coincidence, in the thrill of discovering that two disparate cases may be interconnected in some way. This, Smith declares, “is the scholar’s most cherished article of faith.”<sup>10</sup> He then presents two short texts that comprise for him one such coincidence: from Kafka’s “Reflections on Sin, Hope, and the True Way,” a story about leopards who drink from a temple’s sacrificial chalices so often that they get incorporated into the ritual ceremony; and from Plutarch’s *De vitioso pudore*, a story of a priestess who refuses a request from mule drivers for a drink for fear that the act would then get incorporated into the ritual.<sup>11</sup> Smith writes, “In Kafka’s story, the leopards were received as a message (a miracle, a sign) and incorporated, through routinization and repetition, into the ritual communication. In Plutarch’s story, this potential was refused by the priestess, who saw the possibility of blasphemy.”<sup>12</sup> On Smith’s reading of these coincidental narratives—which are also narratives of coincidence—accidents and aberrations in ritual are apprehended either as miraculous (which leads to incorporation) or as blasphemous (which is met with refusal), and they reveal ritual’s capacity for routinization and rationalization.

According to Smith, routinization concerns an inherent dilemma in which ritualists must make decisions about what counts as significant, and rationalization concerns the “ideological issue of relating that which we do to that which we say or think we do.”<sup>13</sup> Understanding ritual, thus, as a *strategy of choice*, Smith perceives “ritual as a human labor, struggling with matters of incongruity.”<sup>14</sup> The essay works with the extended example of paleo-Siberian bear hunting

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<sup>10</sup> Smith, “The Bare Facts of Ritual,” 112.

<sup>11</sup> Smith quotes: “Leopards break into the temple and drink the sacrificial chalices dry; this occurs repeatedly, again and again: finally it can be reckoned on beforehand and becomes a part of the ceremony.” (Kafka) and “At Athens Lysimachē, the priestess of Athenē Polias, when asked for a drink by the mule drivers who had transported the sacred vessels, replied, ‘No, for I fear it will get into the ritual.’” (Plutarch).

<sup>12</sup> Smith, “The Bare Facts of Ritual,” 114.

<sup>13</sup> *Ibid.*, 117.

<sup>14</sup> *Ibid.*

rituals, for the provided reason that the example is featured prominently in ethnography and ritual theory.<sup>15</sup> As practitioners encounter “a battle between creation and chaos, good and evil, life and death, man and nature,” Smith identifies purification, movement between realms or boundaries, and strict rules of etiquette as key components in bear hunt ceremonialism, which he extends to key components in ritual broadly construed.<sup>16</sup> Smith questions, however, if we are to believe that the hunt happens exactly as described—“Can we believe that a group which depends on hunting for its food would kill an animal only if it is in a certain posture? Can we believe that any animal, once spotted, would stand still while hunters recited dithyrambs and ceremonial addresses?” (the questions go on)—and if the hunters themselves, “from whom these descriptions were allegedly collected, believe it either.”<sup>17</sup>

Seemingly more concerned with the scholar’s “capacity for disbelief” than with the bear hunter’s capacity for ritual, Smith assumes that these questions are the obvious ones to ask.<sup>18</sup> “These and other such questions,” he writes, “can be answered from the ‘armchair.’ They do not depend on fieldwork but on our sense of incredulity, our estimate of plausibility.”<sup>19</sup> But when he later gets up from the armchair and heads for the library, Smith discovers tales of shotguns and sneak attacks, which he then employs to confirm the incredulity he had been harboring all along. He declares that we ought not to believe the descriptions of the hunt nor the hunters’ own belief in the ritual narratives that they report.

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<sup>15</sup> Smith notes that the essay relies mainly on accounts of bear hunt ceremonies from A.I. Hallowell’s *Bear Hunt Ceremonialism in the Northern Hemisphere* and Evelyn Lot-Falck’s *Les Rites de chasse chez les peuples sibériens*.

<sup>16</sup> *Ibid.*, 118.

<sup>17</sup> *Ibid.*, 122-123.

<sup>18</sup> *Ibid.*, 122.

<sup>19</sup> *Ibid.*

Smith observes that “[t]here appears to be a gap, an incongruity between [the hunters’] ideological statements of how they *ought* to hunt and their actual behavior while hunting.”<sup>20</sup>

From this observation, he makes the following argument through a definition of ritual:

*ritual represents the creation of a controlled environment where the variables (i.e., the accidents) of ordinary life have been displaced precisely because they are felt to be so overwhelmingly present and powerful. Ritual is a means of performing the way things ought to be in conscious tension to the way things are in such a way that this ritualized perfection is recollected in the ordinary, uncontrolled, course of things.* Ritual relies for its power on the fact that it is concerned with quite ordinary activities, that what it describes and displays is, in principle, possible for every occurrence of these acts. But it relies, as well, for its power on the fact that, in actuality, such possibilities cannot be realized.<sup>21</sup>

This incongruity is essential for Smith, as he locates the force of ritual within the perception of irreconcilable aims and practices. If bear hunt rituals are never actually what they ought to be, then, Smith surmises, “*the bear festival represents a perfect hunt.*”<sup>22</sup> Rituals are always representations, because complete control of the bear hunt is frustrated by the messy, unexpected, and contingent world in which the ritual takes place. Ritual’s work is to approximate the perfection it can never achieve.

For Smith, rituals are not “magical;” they do not “compel the world through representation and manipulation,” as a performative theory of ritual might argue. Rather, rituals “express a realistic assessment of the fact that the world *cannot* be compelled.”<sup>23</sup> The consequence of Smith’s conclusion is a theory of ritual in which he treats aberration as *either* miracle *or* blasphemy, and the gap between what is and what ought to be signifies for him a world unaffected by ritual action. Where Smith begins his essay with the impressionable thrill of

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid., 124-125.

<sup>22</sup> Ibid., 126.

<sup>23</sup> Ibid., 127.

coincidence, he concludes it with a decidedly negative view of ritual's capacity to influence our world.

Kathryn McClymond criticizes Smith's definition for the reason that it dichotomizes ritual life from everyday life, ignoring what McClymond terms "ritual's quixotic nature."<sup>24</sup> And Ronald L. Grimes criticizes Smith's definition for the reason that it precludes improvisation, which is a problem for Grimes because "ritual improvisation happens, sometimes by accident, sometimes as an act of resistance or renewal."<sup>25</sup> On Grimes' account, a definition of ritual that precludes improvisation does not provide an accurate picture of ritual. "Ritual is *not* the performance of perfection," he argues in "Improvising Ritual," "but rather the enactment of collective aspirations cobbled together provisionally in a fluctuating universe."<sup>26</sup> I think Grimes is right to critique Smith for disqualifying improvisation from ritual theory. Ritual actors *do* improvise the rituals in which they participate, due to various contextual needs, intentional interruption of traditional practice, or otherwise. "We need a model that accepts uncertainty and unpredictability," Grimes says, because unexpected things happen, even within rule-bound practices.<sup>27</sup>

Judith Butler makes a similar point in their performative theory of gender. Butler argues that gender is performative; gender is not a naturally occurring expression of identity that exists prior to the formation of the subject. Rather, the performance of gender constitutes "the identity it is purported to be. In this sense, gender is always a doing, though not a doing by a subject who

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<sup>24</sup> Kathryn McClymond, *Ritual Gone Wrong: What We Learn from Ritual Disruption* (New York, NY: Oxford University Press, 2016), 5.

<sup>25</sup> Ronald L. Grimes, "Improvising Ritual," in *Reassembling Democracy: Ritual as Cultural Resource*, ed. by Graham Harvey, Michael Houseman, Sarah M. Pike, and Jone Salomonsen (London: Bloomsbury Academic, 2021), 18.

<sup>26</sup> Grimes, "Improvising Ritual," 35.

<sup>27</sup> *Ibid.*, 34.

might be said to preexist the deed.”<sup>28</sup> A performative theory of gender understands gender as innovative but also formulaic—it is a *repetitive* and *improvisational* performance, that both follows and fails to follow the rules.<sup>29</sup> “As in other ritual social dramas,” Butler writes, “the action of gender requires a performance that is *repeated*.”<sup>30</sup> Repetition is crucial for the maintenance of traditional governing rules because it functions to compel a subject to act in a certain way, according to what is purported to be a socially intelligible script. Therefore, “gender is an identity tenuously constituted in time, instituted in an exterior space through a *stylized repetition of acts*.”<sup>31</sup> For Butler, however, the possibility for variation within the rules that govern signification always remains. Repetitive acts contain both preservative and subversive possibilities.

As I read it, Butler’s performative theory of gender offers a stronger account of the role of improvisation in ritual than Grimes’ does. Where Grimes argues that improvisation *happens*, I extend Butler’s work on gender to make a stronger claim: *improvisation is a constitutive feature of ritual*. Ritual, like gender, is not only always at risk of failing to meet its normative standards. The improvisational work of ritual, as with gender, acts on various commitments and “aspirations cobbled together provisionally in a fluctuating universe.”<sup>32</sup> (Some small departures from the norm may actually enhance the norm by showing its tolerance to variation.) We may think of improvisation, therefore, as a part of what we may call *gender ritual*, since improvisation may function as a transgression against convention or as a mechanism in

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<sup>28</sup> Judith Butler, *Gender Trouble*, (New York: Routledge, 2007), 34.

<sup>29</sup> In *Notes Toward a Performative Theory of Assembly*, Butler writes: “The possibility of missing the mark is always there in the enactment of gender; in fact, gender may be that enactment in which missing the mark is its defining feature.” Judith Butler, *Notes Toward a Performative Theory of Assembly*, (Cambridge, MA: Harvard University Press, 2018), 30.

<sup>30</sup> Butler, *Gender Trouble*, 191.

<sup>31</sup> Ibid.

<sup>32</sup> Grimes, “Improvising Ritual,” 35.

following or not following gender norms. In this way, Smith's use of the phrase "the way things ought to be" can be read as transgressive—when in the context of a break with traditional governing rules, like Kafka's leopards who represent the view that things may ought to be *otherwise*; or also as perfectionist—when in the context of maintaining traditional governing rules, like Plutarch's priestess who represents the view that things ought to be *as they have been*.

Amy Hollywood gestures toward a similar claim as she traces ritual throughout Butler's, Derrida's, and J. L. Austin's work on performativity: "all three lean their accounts of the force of the performative on ritual."<sup>33</sup> She argues that "Derrida's understanding of the structures of signification offers useful suggestions for a theory of ritualization—and, by extension, of subject and materialization—grounded in the performative."<sup>34</sup> For Derrida and Butler, the iterability of performatives means that they are always connected to and removed from their original context, so that the separation of the performative from its original context is what provides its force. Hollywood's argument, however, suggests that force is "subject to multiple deployments" because "iterability is always marked by similarity as well as difference."<sup>35</sup> Repetition of the same yields an inherent variance, some of which might be called improvisation.

Neither Smith nor Grimes engage performativity explicitly, although we can read their disagreement through a performative lens.<sup>36</sup> Grimes, for one, endeavors to "disrupt the easy bipolar split" between "scripted versus spontaneous performance" as he models a continuum of ritualizing which runs from "scripted and read" on one end to "composing while performing" on the other.<sup>37</sup> But like the eventual breakdown between constatives and performatives that leads

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<sup>33</sup> Amy Hollywood, "Performativity, Citationality, Ritualization," *History of Religions*, vol. 42, no. 2, pp. 93-115 (2002), 97.

<sup>34</sup> Hollywood, "Performativity, Citationality, Ritualization," 97.

<sup>35</sup> *Ibid.*, 104-105.

<sup>36</sup> Of course, elsewhere, Grimes does explicitly theorize ritual performatively, as we know from chapter one with his essay "Infelicitous Performances and Ritual Criticism."

<sup>37</sup> Grimes, "Improvising Ritual," 31.

Austin to conclude that all language is productive in some way, so too does Grimes' spectrum reveal that all ritual is creative and improvisational—even the most heavily scripted and seemingly constative kind.<sup>38</sup> Grimes' view of ritual as essentially *improvisational* is thus in direct disagreement with Smith's view of ritual as essentially *representational*. With a focus on representation, Smith narrates ritual's failures as instances that demand *either* incorporation into *or* remediation of the rules. With a focus on improvisation, Grimes narrates ritual's imperfections as integral to its function: "there is no unchanging ground either inside ritual or outside it."<sup>39</sup> We know from Derrida, Butler, and others that performatives are *citational*, which means that those enacting a performative do not have total control over the success of the act but are always drawing on prior instances of it.<sup>40</sup> We can say the same of ritual. Smith's account of

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<sup>38</sup> In "Performative Utterances," Austin concludes that constative utterances "are speech-acts no less than all these other speech acts that we have been mentioning and talking about as performative." J. L. Austin, "Performative Utterances," in *Philosophical Papers*, ed. by J. O. Urmson and G. L. Warnock (New York: Clarendon Press, 1979), 249-250. He continues, "We see that stating something is performing an act just as much as is giving an order or giving a warning; and we see, on the other hand, that, when we give an order or a warning or a piece of advice, there is a question about how this is related to fact which is not perhaps to very different from the kind of question that arises when we discuss how a statement is related to fact. Well, this seems to mean that in its original form our distinction between the performative and the statement is considerably weakened, and indeed breaks down." Austin, "Performative Utterances," 251.

<sup>39</sup> Grimes, "Improvising Ritual," 21. Yet still, improvisation is hardly theorized as a characteristic of ritual, or as a mode through which to approach it. Improvisation is so absent from the literature that major sources in "Improvising Ritual" are excerpts from email correspondences with Grimes' friends and colleagues. He admits in the essay, "I know of no definition of ritual that mentions improvisation." *Ibid.*, 17. Improvisation most commonly belongs to music historians and ethnomusicologists, but there is a budding field of critical improvisation studies that attends to the concept across a variety of humanistic disciplines. The *Oxford Handbook of Critical Improvisation Studies* charts improvisation as a relevant concept to sociology, philosophy, gender studies, and more. The idea of improvisation in the musical and performing arts as composition in real time has applicability to ordinary human behavior, and, conversely, improvisation scholars also look to insights from other fields. George E. Lewis and Benjamin Piekut, "Introduction: On Critical Improvisation Studies" in *The Oxford Handbook of Critical Improvisation Studies, Volume 1*, ed. By George E. Lewis and Benjamin Piekut (Oxford, 2013). For example, sociologist Erving Goffman's *The Presentation of Self in Everyday Life* is "one of the most frequently cited texts among the later generations in improvisation studies," even though Goffman "never invokes the term" in the text. Lewis and Piekut, "Introduction: On Critical Improvisation Studies," 4. And in a major volume on ethnography, James Clifford writes that "everywhere individuals and groups improvise local performances from (re)collected pasts, drawing on foreign media, symbols, and languages." James Clifford *Writing Culture: The Poetics and Politics of Ethnography*, (Berkeley and Los Angeles: University of California Press, 1986), p. 19, quoted in Elin Diamond, *Performance and Cultural Politics*, (New York: Routledge, 1996), 6.

<sup>40</sup> On Hollywood's reading, Derrida says that iterability is *citational*, meaning that it is always constrained by and riffs on practices of signification. Therefore, Derrida argues that no social context can ever be fully determined, as the force of performatives is derived through the authority of citational practices. In this way, those enacting a performative or a ritual do not have total control over the felicity of the act: "Embedded within Austin's notion of

ritual as representational presents a “definition of ritual as a perfected, controlled environment” that “emphasizes ritual’s resistance to change.”<sup>41</sup>

“Representation follows two laws,” writes Peggy Phelan:

it always conveys more than it intends; and it is never totalizing. The ‘excess’ meaning conveyed by representation creates a supplement that makes multiple and resistant readings possible. Despite this excess, representation produces ruptures and gaps; it fails to reproduce the real exactly. Precisely because of representation’s supplemental excess and its failure to be totalizing, close readings of the logic of representation can produce psychic resistance and, possibly, political change.<sup>42</sup>

Representation, in this sense, is *an act of failure*—suspended between never enough and always too much.<sup>43</sup> Just as this logic holds the possibility for psychic resistance and political change, it also holds the possibility for conservative readings—in the same vein as Butler’s repetitive acts. When Smith theorizes ritual as representational, he presents a picture of ritual as always striving for perfection and control. I take issue, in line with Grimes, with the ways in which this protects ritual from its improvisational impulses, thereby offering a theory of ritual that disavows its constitution. Ignorant of the possibilities that representations can contain, Smith’s conclusive preference for purity, perfection, and adherence to strict rules constrains ritual to the bare facts that it always exceeds. And based on Smith’s own logic, if in every case, what ought to have been done was not done, then every ritual act is in some sense improvised and fails to meet the standards of its own performance. Smith regards the inability for ritual to achieve a pure

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ritual is the understanding of social context and external constraints as intrinsic to the felicitous operation of its performance.” Hollywood, “Performativity, Citationality, Ritualization,” 105.

<sup>41</sup> Grimes, “Improvising Ritual,” 20.

<sup>42</sup> Peggy Phelan, *Unmarked: The Politics of Performance*, (New York: Routledge, 1996), 2.

<sup>43</sup> Phelan borrows the language of failure from Shoshana Felman’s *The Scandal of the Speaking Body*. She writes, “The repetition of failure is the ground from which memory, sight, love, and their theories are re-experienced. ‘Failure, to be sure, pervades every performance, including that of theory, which in turn becomes erotic for *being nothing* but a failed act, or an act of failing’ (my emphases; Felman, *The Literary Speech Act*: 111)” (Ibid., 32). My engagement with failure, throughout the dissertation, is also in conversation with Felman. In *The Scandal of the Speaking Body*, she argues that acts of failure make history.

representation of its ideal as a failure that calls for rectification, rather than as a constitutive feature of ritual activity.

Out of his theory of ritual as representational, Smith argues that “one major function of ritual” is the means for practitioners to *overcome* the “contradiction between word and deed,” between what is and what ought to be.<sup>44</sup> The hunter must be aware, Smith says, that he “does not hunt as he says he hunts, he does not think about his hunting as he says he thinks.”<sup>45</sup> Again, here, Smith identifies a gap between the hunt as it actually transpires and the hunt as it would ideally transpire, and ritual is the hunter’s means of overcoming the contradiction. For Smith, ritual action seeks to realize some ideal that it can never achieve. As a result, Smith concludes that ritual *cannot* change or compel the social world—because this is not its function.

Contra Smith, performative theories of ritual emphasize the ways in which ritual acts *do* compel the social world in some way. For example, Stanley Tambiah’s performative approach to ritual accounts (however briefly) for the perlocutionary force of ritual acts—the impact of a performative on others, as intended or not by the performative act.<sup>46</sup> And Hollywood’s performative account of ritual argues that “social realities are constituted by ritual action.”<sup>47</sup> Most recently, in *The Politics of Ritual*, Molly Farneth makes the most comprehensive case for understanding rituals as performative. Farneth distinguishes rituals from other routinized acts, like brushing one’s teeth, on the grounds that toothbrushing is an individual practice rather than a

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<sup>44</sup> Smith, “The Bare Facts of Ritual,” 124. “...we must presume that *he [the hunter]* is aware of this discrepancy, that he works with it, that he has some means of overcoming this contradiction between ‘word and deed.’ This, I believe, is one major function of ritual.”

<sup>45</sup> Ibid.

<sup>46</sup> Stanley Tambiah, *Culture, Thought, and Social Action: An Anthropological Perspective* (Cambridge, MA: Harvard University Press, 1985), 135. Tambiah argues that ritual is constitutively performative in three senses: “in the Austinian sense of performative, wherein saying something is also doing something as a conventional act; in the quite different sense of a staged performance that uses multiple media by which the participants experience the event intensively; and in the sense of indexical values—I derive this concept from Peirce—being attached to and inferred by actors during the performance.” Tambiah, “Culture, Thought, and Social Action,” 128.

<sup>47</sup> Hollywood, “Performativity, Citationality, Ritualization,” 108.

social one, and is not of shared interest or concern to a larger group.<sup>48</sup> Rather, rituals are acts of matters of heightened importance to a social group that especially involve spirituality and/or normativity. In these ways, Farneth argues, rituals are social *and* political “because they are among the practices by which people create and maintain communities.”<sup>49</sup> Farneth’s social practical and political account of ritual depends on her explication of what rituals do: they define boundaries, distribute goods, intensify values, shape habits and dispositions, and symbolize and express beliefs and passions.<sup>50</sup>

As social practices, rituals are acts “in which power is deployed and contested; they can also enact the power relations in a group. These power relations determine who has the authority to institute rituals or to change them, who is allowed to participate in them, what the rewards and punishments are for participating or refusing to participate in them, and even, in some cases, who, *as a result of participating in the ritual*, gains or loses power and authority.”<sup>51</sup> For Farneth, thinking of rituals as performatives reveals how rituals institute communities and their norms, influence concerns about justice, and create the meanings to which they seem only to refer.

Farneth draws a parallel between speech acts and rituals. Both are social practices embedded in power relations that effect changes in the social world. These are the grounds on

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<sup>48</sup> The distinction between rituals and other routines or habitual practices turns out to be difficult to maintain. Freud has observed striking similarities between neurosis and religion, such that he argues for understanding neurosis as “individual religiosity” and religion as “universal obsessional neurosis.” Both practices are concerned with making the ordinary significant. Smith reads obsession for signification as a particular problem for the ritualist, because if there is significance in everything, then the world is either insane or entirely banal. Sigmund Freud, “Obsessive Acts and Religious Practices,” in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed. J. Strachey (London, 1959), pp. 117-127.

<sup>49</sup> Farneth, *The Politics of Ritual*, 8-9.

<sup>50</sup> In her own words, Farneth’s theoretical work “offers a social practical account of ritual, and it argues for rituals’ political significance and power. In particular, it considers when and how rituals contribute to just and democratic politics. It also reflects on how people adapt existing rituals or create new ones in order to redraw boundaries or redistribute goods, including power, around and within their communities. It argues, moreover, that these adaptations and innovations are part of a dialectic of continuity and change that is *always* part of people’s ritual life, rather than an idiosyncratic feature of modern religion or politics.” *Ibid.*, 14.

<sup>51</sup> *Ibid.*, 46.

which she argues that rituals are performatives. “Rituals that move participants across boundaries, changing their roles or statuses, and distributing goods and ills to them and others, are *performative*,” Farneth writes. “By that, I don’t mean that they’re merely theatrical. Much to the contrary. What I mean is that they bring about a real change in the social world. As a result of an initiation ritual, someone who was not a member of the group is now a member. Or, as a result of a coronation, someone who did not have the authority of a king now does.”<sup>52</sup> In addition to their innovative and inaugural potentialities, performatives must also be understood to contain preservative impulses (again, think Butler on gender). The two coincidental narratives/narratives of coincidence with which Smith begins “The Bare Facts of Ritual” can thus be understood performatively: Kafka’s leopard’s interference results in change in the ritual, and Plutarch’s mule drivers’ request results in a reiteration of the rules of the ritual. The dramas of both narratives are inspired by accident, in Smith’s terms, and by improvisation and aberration, in mine.

But aberrations need not be apprehended as *either* miraculous *or* blasphemous, as Smith does. Aberrations may be revealed to be both exceptional and ordinary when attentions are shifted to the improvisation that is necessary for all enactments of ritual. For example, Farneth writes about the Philadelphia Eleven: the eleven women who were ordained as priests in 1974. But half a year before their ordination, a group of five women participated in a service that did not result in a successful ordination. Farneth writes, “They were not ordained that day, but in that theatrical ordination service they had laid bare the power relations between men and women in the Episcopal Church, making the disparity audible and visible to their audience.”<sup>53</sup> These women made it visualizable that women *could* be ordained—a joke to some, as in marrying a monkey, but necessary for making it a real world possibility to others. With this description,

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<sup>52</sup> Ibid., 91.

<sup>53</sup> Ibid., 84.

Farneth names the perlocutionary force of the ritual, or, the impact and effects of a performative. Austin details a perlocution as follows: “saying something will often, or even normally, produce certain consequential effects upon the feelings, thoughts, or actions of the audience, or of the speaker, or of other persons: and it may be done with the design, intention, or purpose of producing them.”<sup>54</sup> Yes, the consequential effects may be done by design of the performative, but they also may just happen regardless of intent, and either situation is considered the perlocutionary force of the performative. What matters about the perlocutionary, for my purposes here, is that an act that does not go according to plan can have consequential effects. This is one way we can read Farneth’s interpretation of the predecessors to the Philadelphia Eleven: their unsuccessful ordination performatively prefigures the successful one that follows.

As noted in chapter one, the perlocutionary is one of three kinds of forces pertaining to all speech acts that Austin defines in *How to Do Things With Words*. He calls an act “which has a *meaning*” a locutionary act, an act “which has a certain *force* in saying something” an illocutionary act, and of course an act “which is *the achieving of certain effects* by saying something” a perlocutionary act.<sup>55</sup> Austin’s rules that govern felicity apply to the locutionary and the illocutionary, but as Stanley Cavell notes, “Austin does not go on to attempt to define felicity for the perlocutionary.”<sup>56</sup> That is to say, Austin does not define felicity in the case of a performative’s impact on others. Cavell claims that “[t]he perlocutionary is the field of human interaction which is not governed by the conventions or conditions or rituals Austin invokes, but represents the complementary field occupied by or calling for improvisation and passion and aggression.”<sup>57</sup> Where the locutionary and illocutionary are governed by the conventions of

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<sup>54</sup> J. L. Austin, *How to Do Things With Words*, (Cambridge, MA: Harvard University Press, 1975), 101.

<sup>55</sup> Ibid., 121. On my understanding: what an act means, what an act does, and how an act gets taken up.

<sup>56</sup> Stanley Cavell, “Forward” in Felman, *The Scandal of the Speaking Body*, xix.

<sup>57</sup> Cavell, “Forward,” xx.

performative speech acts, the perlocutionary is not; it seems to operate outside of Austin's doctrine of infelicity. And since the perlocutionary concerns the *effects* of an act regardless of intention, it is impossible for Austin to hold it to a metric of success in the same way that he does the other two kinds of acts. How a ritual is taken up or interpreted is contingent on many things and cannot be governed by the same rules that govern the locutionary and the illocutionary. The perlocutionary force of ritual, with its improvisational inclinations, marks a natural break with convention. It might be the case that many performative accounts of ritual are actually talking about the perlocutionary, as in, how ritual lands in the world with others.

If, as Cavell says, Austin does not define felicity for the perlocutionary, and if the perlocutionary is not governed by convention as the other forces are, then the perlocutionary has a different relation to the context of the performative: the locutionary and the illocutionary are *governed by* the context of the performative; the perlocutionary, it seems, is *ungovernable*. The ungovernable nature of the perlocutionary means that interpretations of ritual acts are necessarily contingent and contestable. This point is crucial for my argument that improvisation is an essential feature of ritual's performativity: it both supports Cavell's claim that the perlocutionary cannot be bound by rules because it involves relationality and it refuses theoretical projects that attempt to perfect or control ritual from the irreverence that makes it work. A fixed picture of ritual ignores the fact that "there is no unchanging ground either inside ritual or outside it."<sup>58</sup> The same is true, I argue, for history and memory.

I turn here to Yosef Yerushalmi, not as a theorist of performativity—which he is not—but as a thinker for whom innovation and repetition is essential to his project. I offer a

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<sup>58</sup> Grimes, "Improvising Ritual," 21.

performative approach to Yerushalmi's provocative opposition of Jewish history and Jewish memory, as both are projects that function ritually and therefore rely on improvisation.

### *Holocaust memory and its discontents*

It is no wonder that Yerushalmi's *Zakhor*, in constructing an opposition between Jewish history and Jewish memory, takes examples from liturgy. Yerushalmi explains how medieval Jewry demonstrated a resistance to novelty, a treatment of events as ongoing, and a preference for ritual and liturgy over historical narrative among other key features of memorial practices before the influence of modern historiography.<sup>59</sup> For example, he offers the unique phrasings in the lament for the 9th of Ab as evidence that remembrance "had little or nothing to do with historical knowledge in any sense that we would assign to such a phrase."<sup>60</sup> The first person refrains of the dirge—*when I left Egypt* and *when I left Jerusalem*—performatively establish a memory of surviving a catastrophe that the speaker did not personally experience. The result of this liturgy is a communal processing of suffering and survival tied to biblical events and their religious representations. So here, Yerushalmi suggests, memory—enacted through ritual—is not recollection; it is *reactualization*.<sup>61</sup> This means that the work of Jewish memory performatively conjures the past for communal use in the present.<sup>62</sup> In the example of the lament for the 9th of

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<sup>59</sup> Yerushalmi, *Zakhor*, 51. Sidra DeKoven Ezrahi writes that "Purim is one of the best examples of Yerushalmi's claim that ritual and storytelling, rather than chronicles, are the privileged form of Jewish memory throughout the long post-temple, pre-modern, period. The book of *Esther*, as captured in its performative rituals, never lost its status as a parody, even when competing forms of exegesis proffered a kind of dead-minded literalism." Sidra DeKoven Ezrahi, "After Such Knowledge, What Laughter?," in *The Yale Journal of Criticism*, vol. 14, no. 1 (2001), 290.

<sup>60</sup> *Ibid.*, 43.

<sup>61</sup> *Ibid.*, 44.

<sup>62</sup> Farneth notes that "[l]iturgical language is often performative, as when it hails its auditors and commands their attention or action." Farneth, *The Politics of Ritual*, 91.

Ab, we see how memory hits the ground running as liturgy.<sup>63</sup> The first person refrains are an improvisational ritual act of imagining oneself in the place of biblical actors. This, Yerushalmi argues, was long the basis for Jewish collective memory, and as such, I argue that for Yerushalmi, improvisation is a constitutive feature of Jewish memorial practice.

By the nineteenth century, however, modern historiography came to overshadow ritualized forms of Jewish group memory as the primary mode of historical understanding. Where, in the sixteenth century, only four Jewish historical works were printed and disseminated, by the nineteenth century, Jews “felt an imperative to examine Judaism historically... because they were no longer sure what Judaism was, or whether, whatever it was, it could still be viable for them”<sup>64</sup> The historian thus became the primary custodian of Jewish memory. Yerushalmi argues that “[t]he modern effort to reconstruct the Jewish past begins at a time that witnesses a sharp break in the continuity of Jewish living and hence also an ever-growing decay of Jewish group memory.”<sup>65</sup> The shift to historiographic modes of memory came at the expense of collective forms of remembrance, like the lament for the 9th of Ab.

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<sup>63</sup> Yerushalmi writes that the lament is “one way in which Jewish collective memory could structure itself.” He quotes:

A fire kindles within me as I recall—*when I left Egypt*,  
But I raise laments as I remember—*when I left Jerusalem*.

Moses sang a song that would never be forgotten—*when I left Egypt*,  
Jeremiah mourned and cried out in grief—*when I left Jerusalem*.

The sea-waves pounded but stood up like a wall—*when I left Egypt*,  
The waters overflowed and ran over my head—*when I left Jerusalem*.

Moses led me and Aaron guided me—*when I left Egypt*,  
Nebuchadnezzar and the Emperor Hadrian—*when I left Jerusalem*...

The use of the first person in the lament is deliberate, Yerushalmi says. “For whatever memories were unleashed by the commemorative rituals and liturgies were surely not a matter of intellection, but of evocation and identification... what was suddenly drawn up from the past was not a series of facts to be contemplated at a distance, but a series of situations into which one could somehow be existentially drawn.” Yerushalmi, *Zakhor*, 43-44.

<sup>64</sup> Ibid., 86.

<sup>65</sup> Ibid.

Intellectual historian Dominick LaCapra distinguishes between two methods of historiography that fall on either end of an historiographic spectrum (which is reminiscent of Grimes' spectrum of ritualizing). On the documentary model, there is an overdetermined reliance on the historical record, whereby other forms of historical writing and memory are rendered inferior, if not superfluous. Working from within this model, many historians, LaCapra contends, "affirm a decisive binary opposition between history and memory, typically with history valorized as the realm of enlightened, secular, critical rationality... and memory disparagingly associated with religion, mystification, sacralization, or all-around murkiness."<sup>66</sup> This binary should be familiar to scholars of religion, as a similar opposition is at play with regards to the secular and the religious, where the secular is positioned within the realm of the critical and the rational, and the religious is more commonly associated with a lack of discipline, knowledge, etc. (LaCapra already places religion and memory together in the above quote).<sup>67</sup> On the other end of LaCapra's spectrum, the radical constructivist model accepts history and fiction as distinct "on the level of reference to events," but structurally affirms an essential similarity between them.<sup>68</sup> Here, we may locate someone like Hayden White, who quips that all stories are fictions.<sup>69</sup>

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<sup>66</sup> Dominick LaCapra, *Writing History, Writing Trauma*, (Baltimore, MD: The Johns Hopkins University Press, 2014), xix.

<sup>67</sup> See Talal Asad, *Formations of the Secular*, (Stanford, CA: Stanford University Press, 2003). Asad writes that, against secularity, "Religion has long been seen as a source of violence, and (for ideological reasons) Islam has been represented in the modern West as particularly so (undisciplined, arbitrary, singularly oppressive)." Asad, *Formations of the Secular*, 9-10.

<sup>68</sup> LaCapra, *Writing History, Writing Trauma*, 8.

<sup>69</sup> In *Metahistory*, White treats the historical text as "a verbal structure in the form of a narrative prose discourse that purports to be a model, or an icon, of past structures and processes in the interest of *explaining what they were by representing them*" (2). By this, White forwards an understanding of history that focuses on the explanatory power of modes of representation: historical events are mediated by the models that represent them, and different models may provide different representations of the same historical event. But all historical stories are fashioned by the historian. Hayden White, *Metahistory: The Historical Imagination in Nineteenth-century Europe*, (Baltimore, MD: The Johns Hopkins University Press, 1973).

Favor for the documentary model and the historiographic sensibilities that it informs inspired in part Yerushalmi's distinction between Jewish history and Jewish memory.<sup>70</sup> However, Yerushalmi's opposition is not the same as that of the documentary historian that LaCapra identifies. Jewish history, Yerushalmi argues in his *Zakhor*, has emerged from the documentary pressures of modern historicist imperatives, and he is worried that these demands come at the expense of Jewish collective memory, which, following the close of the biblical canon, is the rabbis' ultimate concern. Instead, Jewish modes of memory and ritual activity assumed any efforts of recording historical events in the documentary sense.

On the other hand, the aim of Jewish history is the recording of all significant events. Yerushalmi writes that "the first real attempt in modern times at a coherent and comprehensive post-biblical history of the Jews was made, not by a Jew, but by a French Huguenot minister and diplomat, Jacques Basnage."<sup>71</sup> The distinction between Jewish memory and Jewish history was thus born out of a rupture rooted in ritual activities of *narration*: from rituals of memory that flowed through liturgy and other collective practices, to rituals of documentation that made facts and historical chronicle into the new sacred standard of understanding the past. This divide intensified in the wake of the Holocaust, with an unprecedented boom in historiography and archivization. Yet, Yerushalmi never supports the total dismissal of Jewish history or of archives. Rather, he understands "the emergence of modern Jewish historical scholarship since the early nineteenth century, not as an ultimate triumph of historical progress, but as an historical fact

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<sup>70</sup> Like LaCapra's documentary and radical constructivist models, we can read Yerushalmi's Jewish history and Jewish memory as *genres*.

<sup>71</sup> Ibid., 81. David H. Price describes Basnage as "the founder of a new Christian historiography of Judaism... In its definitive 1716 edition, *History of the Jews* comprised a substantial nine books, printed in fifteen volumes, and included extensive accounts of Jewish theology, rituals, and practices in addition to a sweeping cultural and political history of Jewish life across the world since the time of Jesus." David H. Price, "'The Sincerity of Their Historians': Jacques Basnage and the Reception of Jewish History" in *Jewish Quarterly Review*, vol. 110, no. 2, pp. 290-312, (2020), 290.

historically conditioned.”<sup>72</sup> After all, in “Series Z,” a later essay from 1997, he describes himself as a Jewish historian who has “spent a good deal of time in archives.”<sup>73</sup> But Yerushalmi does quip that Israel was never commanded to be a nation of historians; the Hebrew bible instead commands remembrance: *zakhor*.<sup>74</sup> The biblical injunction to remember is thus incongruous with the historian’s injunction to never forget: “The modern effort to reconstruct the Jewish past begins at a time that witnesses a sharp break in the continuity of Jewish living and hence also an ever-growing decay of Jewish group memory.” Yerushalmi diagnoses these trends: “In this sense, if for no other, history becomes what it had never been before—the faith of fallen Jews.”<sup>75</sup>

It is interesting that Yerushalmi borrows a Christian concept for his diagnosis of Jewish history. This is likely because, as he shows, the origins of Jewish history are rooted in non-Jewish actors, like Jacques Basnage, whose history of the Jews contains “no archival research” and reinstates “[t]he basic Christian presumption of an ultimate conversion of the Jews.”<sup>76</sup> But the tenor of Yerushalmi’s diagnosis crucially reaffirms the attachment of a Christian religious connotation to the Jewish historical project. The effects are twofold: first, it further opposes Jewish history and Jewish memory by differentiating where each project locates its authority—in modern Christian historiography and in the group as formed through ritual, respectively.<sup>77</sup> Second, it reveals the religious dispositions that Jewish history projects engender despite these projects’ attempts to distance themselves from religion. But “Judaism neither lost its link to

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<sup>72</sup> Yerushalmi, *Zakhor*, xxxv.

<sup>73</sup> Yerushalmi, “Series Z,” 320.

<sup>74</sup> “Israel is told only that it must be a kingdom of priests and a holy people; nowhere is it suggested that it must become a nation of historians.” Yerushalmi, *Zakhor*, 10.

<sup>75</sup> Yerushalmi, *Zakhor*, 86.

<sup>76</sup> *Ibid.*, 81.

<sup>77</sup> This is one place where the chapter’s epigraph from *Zakhor* is especially relevant: “Contrary to a theory widely held as late as the seventeenth century, a child left in the forest to its own linguistic devices would not speak Hebrew spontaneously, not even if it were a Jewish *enfant sauvage*, and neither would it ‘remember’ that Abraham journeyed from Ur to Canaan. Only the group can bequeath both language and a transpersonal memory.” *Ibid.*, xxxiv.

history nor its fundamentally historical orientation,” Yerushalmi writes. “The difficulty in grasping this apparent incongruity lies in a poverty of language that forces us, *faute de mieux*, to apply the term ‘history’ both to the sort of past with which we are concerned, and to that of Jewish tradition.”<sup>78</sup> Yerushalmi’s opposition between Jewish history and Jewish memory never abandons Jewish history.

David Myers, however, suggests that Yerushalmi’s distinction between history and memory may be “overdrawn.”<sup>79</sup> He understands the relationship between history and memory as a reciprocal one. In *The Stakes of History*, Myers argues against Yerushalmi’s binary on the grounds that “that Jewish historians in the modern age have exemplified the permeability of the border between history and memory in revealing fashion.”<sup>80</sup> Myers reads Yerushalmi as seeking to break out of a binary opposition between history and memory. Amos Funkenstein similarly does not view Yerushalmi’s categories as opposing ones. But contrary to Myers, Funkenstein suggests adding a third category to the binary: historical consciousness. He proposes historical consciousness as a corrective to Yerushalmi’s schematic in *History and Memory*’s inaugural issue so as to account for “the degree of creative freedom in the use and interpretation of the contents of collective memory.”<sup>81</sup> Funkenstein offers the category as a “mediating instance...

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<sup>78</sup> Yosef Yerushalmi, *Zakhor: Jewish History and Jewish Memory* (Seattle, WA: University of Washington Press, 1996), 26.

<sup>79</sup> David Myers, *The Stakes of History*, (New Haven, CT: Yale University Press, 2018), 9. When Myers expressed this view to Yerushalmi, the latter stayed true to his distinction: “Yerushalmi clarified that he was focused on the collective memory associated with traditional Jewish religion and not on ‘such modern and relatively recent constructs of collective memory as those of Zionism, the Holocaust, or the State of Israel.’ He further acknowledged that there were tensions between these repositories of memory and ‘critical historiography’” (ibid., 10). Here, Myers is “in complete agreement; those kinds of modern memory ‘constructs,’ to which historians have undeniably contributed, have been the focus of my attention, both in our exchange and elsewhere. The question remains, however, whether the ‘traditional’ modes of Jewish memory that Yerushalmi sought to differentiate and consign to the past can be so clearly distinguished from the historical memories forged out of movements fueled by modern Jewish national or religious ideologies.” Myers, *The Stakes of History*, 10-11.

<sup>80</sup> Ibid., 5.

<sup>81</sup> Amos Funkenstein, “Collective Memory and Historical Consciousness,” in *History and Memory*, vol. 1, no. 1, pp. 5-26, (1989), 11.

between the poles of collective memory and reflexive historiography.”<sup>82</sup> While Myers considers that Funkenstein and Yerushalmi may be more compatible than either of them realized, he criticizes Funkenstein’s offering, however, on account of the conceptual category being underdeveloped and not so meaningfully distinguished from collective memory.<sup>83</sup> The debates that Myers and Funkenstein stage out of engagements with Yerushalmi’s distinction fail to account for ritual, which, I argue, is central to the categories (practices?) of Jewish history and Jewish memory.

Myers and Funkenstein’s respective desires to collapse and triangulate Jewish history and Jewish memory perform the very sense of resolve that Yerushalmi wants to keep at bay. There can be value in holding distinctions open, *Zakhor* seems to suggest. An approach to such tensions that is not predicated on solution provides an opportunity to see also what similarities opposing categories and methods share. So even if we were to agree with Myers and/or Funkenstein, we must acknowledge that yes, Jewish memory operates through ritual, but modern historiography has taken on ritual-like behaviors as well—as the *faith of fallen Jews*. Certain historical narratives and their emplotments get elevated to the status of the sacred, and practices around creating and maintaining them—like ritual—define communities, shape values and beliefs, and attribute authority to selected content and methods of remembrance. In the case of historiography of the Holocaust, historians have demonstrated a preference for (or, operated under the assumption of) tragic and exceptional narratives, whereby the events of the Holocaust are fashioned as wholly unique and incomparable to any other historical events.<sup>84</sup> So in a circular

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<sup>82</sup> David Myers and Amos Funkenstein, “Remembering ‘Zakhor’: A Super-Commentary [with Response],” in *History and Memory*, vol. 4, no. 2, pp. 129-148, (1992), 147.

<sup>83</sup> Myers and Funkenstein, “Remembering ‘Zakhor.’”

<sup>84</sup> A contemporary example that reveals normative standards of Holocaust representation: On December 14, 2023, Masha Gessen was slated to receive the annual Hannah Arendt prize for political thought sponsored by the Heinrich Böll Foundation in Germany. On December 9—just 5 days prior—Gessen published an essay in the *New Yorker* titled “In the Shadow of the Holocaust,” in which they detail how the political use of Holocaust memory and

move, the history is used to justify the narrative that it creates. The historian's project—which, as LaCapra says, valorizes history (against memory) as the realm of critical rationality—then, relies on rituals of narration, even if it disavows the rituals of memory that help to shape its archive. Again, this point echoes scholarship on the religious and secular divide, in which the insistence on a secular rationality requires the project to define itself against religion.<sup>85</sup> In this context, Myers and Funkenstein's critiques of Yerushalmi overlook the operations of ritual at the center of history and memory's critical juncture.

Then, maintaining Yerushalmi's distinction uncovers how ritual operates in both Jewish history and Jewish memory, but on different registers. Yerushalmi explains how ritual *is a mode* of Jewish memory; Jewish memory happens through ritual, as remembrance is “felt as a religious imperative” in the bible.<sup>86</sup> In contrast, modern encounters and assimilations with the historiography of the secular world replaced the biblical imperative to remember with the documentary historian's imperative to never forget. Yerushalmi writes, “Only in the modern era

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antisemitism in Europe alters the ways in which we understand contemporary politics in Israel and Gaza. The essay sparked much public controversy and the Heinrich Böll Foundation rescinded their funding for Gessen's award. The controversy called attention to a short paragraph in which Gessen compares the living conditions in contemporary Gaza to the Jewish ghettos of war-time Europe. Here, Gessen expresses the gravity of Israel's assault on Gaza by articulating its resemblances to a prior historical moment: that of the Nazi assault on the Jews of Europe. The criticism waged against Gessen took specific issue with their use of comparison. Mainstream European and American political discourse often figures the Holocaust as a wholly unique event. According to this imaginary, comparison of any kind is a violation of Holocaust memorialization itself. Samantha Hill writes that “Following a *de facto* law put into effect by a non-binding resolution passed by the German parliament in 2019, which equates the BDS (Boycott, Divestment and Sanctions) movement with antisemitism, Gessen violated the German demand that one not compare the Holocaust to any other historical event.” Samantha Hill, “Hannah Arendt would not qualify for the Hannah Arendt prize in Germany today” in *The Guardian*, 18 December 2023.

<sup>85</sup> See Asad, *Formations of the Secular*.

<sup>86</sup> Yerushalmi, *Zakhor*, 9. Yerushalmi offers “a superlative example of the interplay of ritual and recital in the service of memory”: “A wandering Aramean was my father, and he went down into Egypt and sojourned there, few in number; and he became there a nation, great, mighty, and populous. And the Egyptians dealt ill with us, and afflicted us, and laid upon us hard bondage. And we cried unto the Lord, the God of our fathers, and the Lord heard our voice, and saw our affliction, and our toil, and our oppression. And the Lord brought us forth out of Egypt with a mighty hand, and with an outstretched arm, and with great terribleness, and with signs, and with wonders. And He has brought us into this place, and has given us this land, a land flowing with milk and honey... (Deut. 25:5-9).” Of this passage, Yerushalmi says, “This is capsule history at its best. The essentials to be remembered are all here, in a ritualized formula.” Ibid., 12.

do we really find, for the first time, a Jewish historiography divorced from Jewish collective memory and, in crucial respects, thoroughly at odds with it.”<sup>87</sup> These trends, Yerushalmi observes, have persisted, and seemingly intensified in history and memory projects that arise out of the Holocaust.

Consider, for instance, that in *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History*, Dori Laub recounts an eyewitness testimony to the Auschwitz uprising in which the witness recalled seeing “four chimneys going up in flames, exploding. The flames shot into the sky, people were running. It was unbelievable.”<sup>88</sup> Yet as Laub goes on to explain, the woman’s testimony was not received on these same terms by all. While Laub, a psychoanalyst, understood her testimony as “bursting open the very frame of Auschwitz,” some historians on the other hand saw a misrepresentation.<sup>89</sup> Only one chimney blew up during the uprising, they insisted, not four. The woman’s testimony was therefore dismissed as entirely unreliable: “‘Don’t you see,’ one historian passionately exclaimed, ‘that the woman’s eyewitness account of the uprising that took place at Auschwitz is hopelessly misleading in its incompleteness? She had no idea what was going on.’”<sup>90</sup> But even though the eyewitness did not know what the historians knew, Laub “thought that she knew more, since she knew about the breakage of the frame, that her very testimony was now reenacting.”<sup>91</sup> In this drama, the historians’ efforts to discount the eyewitness testimony discipline her memory in order to uphold

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<sup>87</sup> Ibid., 93.

<sup>88</sup> Shoshana Felman and Dori Laub, MD, *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History* (New York: Routledge, 1992), 59. For other interpretations of this eyewitness testimony, see Kelly Oliver, *Witnessing: Beyond Recognition*, (Minneapolis, MN: University of Minnesota Press, 2001), and Dominick LaCapra, *Writing History, Writing Trauma* (Baltimore, MD: Johns Hopkins University Press, 2014).

<sup>89</sup> Felman and Laub, *Testimony*, 62.

<sup>90</sup> Ibid., 61.

<sup>91</sup> Ibid., 63.

the data they already have. The historian's move recalls Smith's efforts to discipline ritual, which coincides with his disbelief in the bear hunter's reports of their own ritual acts.

Yet especially the Bible, Yerushalmi reminds us, has conflicting historical accounts side by side, and "[t]he meaning of history is explored more directly in the prophets than in the actual historical narratives; the collective memory is transmitted more actively through ritual than through chronicle."<sup>92</sup> History is not repetitive, Yerushalmi says, memory is. And there is "an almost desperate pathos about the biblical concern with memory, and a shrewd wisdom that knows how short and fickle human memory can be."<sup>93</sup> The (mis)remembered account of the four chimneys also acknowledges the vulnerability of memory to time, trauma, and other worldly influences. Part of what makes this eyewitness testimony so interesting are the various interpretations and incongruities that come out of it: on the one hand, the imposed standard of accurate historical documentation renders the testimony invalid, and on the other, tensions with the historical record reveal history and memory to be projects that we *do*—projects that follow ritualized repetitions of narratives and norms and therefore *improvise*.

As if writing from this same dilemma, Primo Levi offers an apology on behalf of his memory at the end of the first chapter to his memoir *The Drowned and the Saved*. The book is among the last of Levi's many published works on his survival of Auschwitz. It was first published in 1986—over four decades since his internment and one year prior to his suicide. The first chapter begins: "The human memory is a marvelous but fallacious instrument."<sup>94</sup> And it ends: "An apology is in order."<sup>95</sup> He continues:

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<sup>92</sup> Yerushalmi, *Zakhor*, 15.

<sup>93</sup> Ibid., 10.

<sup>94</sup> Primo Levi, *The Drowned and the Saved*, trans. Raymond Rosenthal, (New York, NY: Simon and Schuster, 1988), 13.

<sup>95</sup> Levi, *The Drowned and the Saved*, 24.

This very book is drenched in memory; what's more, a distant memory. Thus it draws from a suspect source and must be protected against itself. So here then: it contains more considerations than memories, lingers more willingly on the state of affairs such as it is now than on the retroactive chronicle. Furthermore, the data it contains are strongly substantiated by the imposing literature that has been formed around the theme of the man submerged (or "saved"), also through the collaboration, voluntary or not, of the culprits of that time; and in this corpus the concordances are abundant, the discordances negligible. As for my personal memories, and the few unpublished anecdotes I have mentioned and will mention, I have diligently examined all of them: time has somewhat faded them, but they are in good consonance with their background and seem to me unaffected by the drifting I have described.<sup>96</sup>

An apology is a performative utterance: the *doing* of the apology is in the *saying* of it. Levi's apology here performatively disrupts conventional forms of eyewitness testimony that valorize narratives of survival in accordance with the standards imposed by the historical record. The apology is an *improvisational break* from rote forms of narration that override their "suspect sources." It is an example of memory attending to its own self-professed aberration, admitting its own failure.<sup>97</sup> Memory does not presume to exhaust itself or the event it represents, but if history believes that there is an event that ought to be represented accurately, then it presumes that the event is finite and can be represented *as it was*, which we can now recognize as another mode of representation *as it ought to be*. In this way, the apology is made on behalf of memory itself, rather than Levi's memory in particular. *The Drowned and the Saved* does not adjudicate correctness for the sake of historical record; rather, it holds various truths in tension.<sup>98</sup>

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<sup>96</sup> Ibid.

<sup>97</sup> This is true of comedy as well.

<sup>98</sup> Right before the apology, Levi tells the story of a fellow inmate in Auschwitz, named Alberto, who, like many others, told himself consoling tales. The Germans will soon surrender, the murder cannot go on, someone will come to save us. Alberto was killed shortly before liberation, and, once repatriated, Levi went to Alberto's hometown to visit with his relatives. Soon into telling his story, Alberto's mother interrupted him: "She *knew* that her son, he alone, had been able to slip away from the column without being shot by the SS. He had hidden in the forest and was safe in Russian hands; he had not yet been able to send any word, but he would do so soon, she was certain of it; and now, would I please change the subject and tell her how I myself had survived." Ibid., 23-24. Levi visited the family again a year later and Alberto's mother told another version of Alberto's story, a version in which he "would soon return—she had this from a reliable source" Ibid., 24. But, Levi admits, "Alberto never returned. More than forty years have passed. I did not have the courage to show up again and to counterpose my painful truth to the consolatory 'truth' that, one helping the other, Alberto's relatives had fashioned for themselves" Ibid.

We may read Levi's apology as a great dramatic foil for J. Z. Smith's more austere picture of ritual. Where Smith renders ritual responsible for overcoming incongruous aims and practices, Yerushalmi's project imbues Levi's apology—made in refusal to overcome what must be maintained—with a biblical authority. "If history is real," Yerushalmi writes, "then the Red Sea can be crossed only once... Yet the covenant is to endure forever."<sup>99</sup> Biblical historical events and their materials do not get transmitted through generations, but memories of them do: "If there can be no return to Sinai, then what took place at Sinai must be borne along the conduits of memory to those who were not there that day."<sup>100</sup> What happens, then, when memory is divorced from forgetting? When memory is emptied of its capacity to improvise? Yerushalmi writes, "I have emphasized that modern Jewish historiography can never substitute for Jewish memory. But I am equally convinced that a historiography that does not aspire to be memorable is in peril of becoming a rampant growth."<sup>101</sup> His concern here about modern historiography echoes Hannah Arendt's about the effects of modern (technological) thought and innovation on our historical sensibilities: "If we would follow the advice, so frequently urged upon us, to adjust our cultural attitudes to the present status of scientific achievement, we would in all earnest adopt a way of life in which speech is no longer meaningful."<sup>102</sup> Like Yerushalmi who closes *Zakhor* with concern about critical thought and collective memory in an age of technological innovation and historical documentation, Arendt opens *The Human Condition* by discussing the impact of scientific advances on understandings of humanity in an ever-modernizing world.<sup>103</sup> As rockets successfully transcend the confines of gravity, and telescopes offer a perspective that decenters

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<sup>99</sup> Yerushalmi, *Zakhor*, 10.

<sup>100</sup> Ibid.

<sup>101</sup> Ibid., 101.

<sup>102</sup> Hannah Arendt, *The Human Condition* (Chicago, IL: University of Chicago Press, 2018), 3-4.

<sup>103</sup> Arendt, *The Human Condition*, 1.

the earth, she asks, what do we share, if not an Earth to which we are bound? What becomes of our shared world of things when it is seen to be possible to exist outside of it?

*The scandal of the artificial speaking body*

Yerushalmi ends the final chapter of *Zakhor* with a warning: “The shadow of Funes the Memorious hovers over us all. Today, increasingly, historiography itself becomes the object of historical inquiry. Perversely, I have contributed to it here. Conceivably some day there could be a history of the history of historiography, and then a history of that, and so on in a continuing spiral.”<sup>104</sup> Jorge Luis Borges’ short story *Funes the Memorious*—about a man who has lost the capacity to forget after falling from his horse—serves as an apt parable for *Zakhor*. Ireneo Funes’ memory is infallible to the point where he is “incapable of ideas of a general, Platonic sort. Not only was it difficult for him to comprehend that the generic symbol *dog* embraces so many unlike individuals of diverse size and form; it bothered him that the dog at three fourteen (seen from the side) should have the same name as the dog at three fifteen (seen from the front).”<sup>105</sup> Borges offers a humorous critique of empiricism, which, at its most extreme, prohibits generalization. Everything Funes experiences is a singular occurrence; there is no iteration in his world. The narrator comments: “With no effort he had learned English, French, Portuguese and Latin. I suspect, however, that he was not very capable of thought. To think is to forget

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<sup>104</sup> Ibid., 102-103.

<sup>105</sup> Borges, *Funes the Memorious*, 93.

differences, generalize, make abstractions. In the teeming world of Funes, there were only details, almost immediate in their presence.”<sup>106</sup> Because he cannot forget, he cannot think.<sup>107</sup>

The first six lines of *Funes the Memorious* begin with the refrain *I remember*, as if to answer the biblical command. The first is accompanied by a parenthetical admission of inadequacy: “(I have no right to utter this sacred verb, only one man on earth had that right and he is dead),” and the third by one of doubt: “(I think).” The sixth refrain includes the modifier “clearly” in the middle of the claim.<sup>108</sup> From the very beginning of the story, remembrance is already called into question, at times definitive and at others wholly suspect. This is fitting, as the narrator describes the story as his “testimony.”<sup>109</sup>

I propose that we read Funes as a tragic character. The title of the story already invokes titles of conventional tragedies, which commonly follow the formula of proper name and tragic flaw.<sup>110</sup> Prior to the accident, Funes “had been what all humans are: blind, deaf, addle-brained, absent-minded.... When he fell, he became unconscious; when he came to, the present was

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<sup>106</sup> Ibid., 94.

<sup>107</sup> Yerushalmi cites Nietzsche in his short paragraphs on Borges. In *The Use and Abuse of History*, Nietzsche makes similar remarks on the dangers of a life without forgetfulness. I quote more extensively here: “But in the smallest and greatest happiness there is always one thing that makes it happiness: the power of forgetting, or, in more learned phrase, the capacity of feeling ‘unhistorically’ throughout its duration. One who cannot leave himself behind on the threshold of the moment and forget the past, who cannot stand on a single point, like a goddess of victory, without fear or giddiness, will never know what happiness is; and, worse still, will never do anything to make others happy. The extreme case would be the man without any power to forget who is condemned to see ‘becoming’ everywhere. Such a man no longer believes in himself or his own existence; he sees everything fly past in an eternal succession and loses himself in the stream of becoming. At last, like the logical disciple of Heraclitus, he will hardly dare to raise his finger. Forgetfulness is a property of all action, just as not only light but darkness is bound up with the life of every organism. One who wished to feel everything historically would be like a man forcing himself to refrain from sleep or a beast who had to live by chewing a continual cud. Thus even a happy life is possible without remembrance, as the beast shows: but life in any true sense is absolutely impossible without forgetfulness. Or, to put my conclusion better, there is a degree of sleeplessness, of rumination, of ‘historical sense’ that injures and finally destroys the living thing, be it a man or a people or a system of culture.” Friedrich Nietzsche, *The Use and Abuse of History*, trans. Adrian Collins (Indianapolis, IN: Bobbs-Merrill, 1957), 6-7.

<sup>108</sup> Borges, *Funes the Memorious*, 87.

<sup>109</sup> Ibid.

<sup>110</sup> Writing on the difference between comedies and dramas, Henri Bergson writes, “A drama, even when portraying passions or vices that bear a name, so completely incorporates them in the person that their names are forgotten, their general characteristics effaced, and we no longer think of them at all, but rather of the person in whom they are assimilated; hence, the title of a drama can seldom be anything else but a proper noun.” Henri Bergson, *Laughter: An Essay on the Meaning of the Comic*, (Rockville, MD: Arc Manor, 2008), 15.

almost intolerable in its richness and sharpness, as were his most distant and trivial memories.”<sup>111</sup> Even his sleep was entirely undone by the worldly detail he could not help but to observe. Funes “was the solitary and lucid spectator of a multiform, instantaneous and almost intolerably precise world.”<sup>112</sup> Though Funes’ tragedy is his, the effects of his memory begin to contaminate the narrator: burdened with the knowledge of his memory, the narrator becomes “benumbed by the fear of multiplying useless gestures.”<sup>113</sup> In the next chapter, in Jonathan Lear’s *Radical Hope* and Romain Gary’s *Genghis Cohn*, we will see other acts of empty gestures that are not totally empty of meaning, but are placeholders for a possible future resurgence of ritual life. But here, for Yerushalmi, *Funes the Memorious* is “a possibly demonic parable for a potential dénouement to modern historiography as a whole.”<sup>114</sup> The story haunts him for this reason.

For Hannah Arendt, it is fundamental that the modern concept of history developed alongside revolutions in the natural sciences during the sixteenth and seventeenth centuries. The history of this new age “emerged as something it never had been before,” Arendt writes in “The Modern Concept of History.” “It was no longer composed of the deeds and sufferings of men, and it no longer told the story of events affecting the lives of men; it became a man-made process, the only all-comprehending process which owes its existence exclusively to the human race.”<sup>115</sup> The historian who was once tasked with making “something lasting out of remembrance” in the face of the futility of words and deeds, began in the modern age to seek to

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<sup>111</sup> Borges, *Funes the Memorious*, 91.

<sup>112</sup> *Ibid.*, 94.

<sup>113</sup> Borges, *Funes the Memorious*, 95.

<sup>114</sup> Yerushalmi, *Zakhor*, 102.

<sup>115</sup> Hannah Arendt, “The Modern Concept of History,” in *The Review of Politics*, vol. 20, no. 4, (1958), 585.

fabricate a world of permanence in which words and deeds are predictable, repetitive, everlasting.<sup>116</sup>

In a sense, then, modernity's historical project made it so that memory and ritual were no longer sufficient, and therefore made out to be obstacles in (re)constructing particular narratives of the past—narratives that seek after causal trends and patterns in history. Irene McMullin has argued that this political situation can be “characterized by the desire and the ability to record *all* events: a revolution in memory due in large measure to technological outsourcing.”<sup>117</sup> Although “artificial memory is typically understood solely as a boon for we creatures of limited memory,” McMullin continues, “it is my contention that its overwhelming presence has contributed to a type of unrecognized breakdown or failure in memory.”<sup>118</sup> Innovations in artificial intelligence, in particular, are influencing how we engage with survivors of atrocities, and are redefining what counts as historical documentation. The modern desire for memory and reliance on technology for remembrance has resulted in a kind of cultural amnesia, McMullin contends, where the recording of everything comes with a loss of communal memory.

Just like a rocket ship's departure from the orbit of our shared world disrupts our understandings of what we hold in common, an artificial and virtual representation of a Holocaust survivor that transcends the orbit of life and death disrupts our conventional memorial landscapes and the temporality of mortality. Sometimes, as I have suggested, disruption is a good thing, and our memorial practices *should* stand open to changes of various kinds. But I see this particular disruption as attempting to halt the contingency of memory by enforcing a frozen encounter with the tragic past. Contrary to other forms of testimony that substitute for eyewitness

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<sup>116</sup> Arendt, “The Modern Concept of History,” 573-574.

<sup>117</sup> Irene McMullin, “The Amnesia of the Modern: Arendt on the Role of Memory in the Constitution of the Political” in *Philosophical Topics*, vol. 39, no. 2, (2011), 94.

<sup>118</sup> McMullin, “The Amnesia of the Modern,” 94.

encounters, like written narratives and video archives, the USC Shoah Foundation's Dimensions in Testimony project simulates human interaction. The project's product is essentially a library of virtual witnesses that, with the assistance of artificial intelligence, can participate in "real-time, lifelike conversation." The Shoah Foundation conducted extensive interviews with "Holocaust survivors and other witnesses to genocide" so that "[n]ow and far into the future, museum-goers, students and others can have conversational interactions with these eyewitnesses to history to learn from those who were there."<sup>119</sup> The witnesses are on display at museums and memorial sites as interactive exhibits, where patrons can simulate speaking with a Holocaust survivor. The speech that the virtual witnesses solicit from their conversation partners is presumed to be predictable (museum docents offer informal trainings to museum-goers), and the speech that they give in return is programmed according to a logic of "the most appropriate answer."<sup>120</sup>

Dan Leopard and Noah Shenker write about interactions with one of the virtual witnesses, whom they call Pinchas-DiT—a moniker that accounts for the survivor's proper name, Pinchas Gutter, and his status as a technology of memory *on display*.<sup>121</sup> Leopard and Shenker write:

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<sup>119</sup> "Dimensions in Testimony," USC Shoah Foundation, University of Southern California, last modified 2026, <https://sfi.usc.edu/dit>.

<sup>120</sup> "Frequently Asked Questions," USC Shoah Foundation, University of Southern California, last modified 2026, <https://sfi.usc.edu/dit/faq>. Dan Leopard and Noah Shenker write that "to get relevant answers to questions, visitors at the USHMM had to go through brief training periods in which the docent instructed them on how the interactive system works and how best to get an adequate response." Dan Leopard and Noah Shenker, "Pinchas- DiT: Simulation and the Imagined Future of Holocaust Survivor Memory" in *Lessons and Legacies of the Holocaust, volume XV: The Holocaust: Global Perspectives and National Narratives*, ed. by Avinoam Patt and Erin McGlothlin (Evanston, IL: Northwestern University Press, 2024) pgs. 254-273.

<sup>121</sup> Leopard and Shenker are clear to distinguish Pinchas Gutter the *real person* from Pinchas-DiT the *technologized exhibit*. But evidently this is in tension with the Shoah Foundation's vision: "The DiT, like the VHA [Visual History Archive] before it, also stakes claims to presenting testimonies as sources of living memory. This is evident in the ways that the Shoah Foundation and various media outlets discuss Pinchas-DiT and his cohort, often assigning the virtual witnesses the same authenticity and embodied resonance as living witnesses. At one point during our session with Pinchas-DiT at the Shoah Foundation, we referred to him as a "virtual human," using the nomenclature set forth by researchers and designers at the ICT. Heather Maio-Smith, lead designer on the DiT project, took issue with

Even changing the wording to clarify a question often prompted responses from Pinchas-DiT that failed to match. Prompting, “Tell me about the death camps,” caused Pinchas-DiT to respond with a discussion of his ghetto experience. That was a more viable response than the blank yet smiling stare that met the original question—“What is a death camp?”—but still not the match in content that one may have anticipated. When asked, “Did you go to the death camp with your family?” Pinchas-DiT delivered an answer about a postwar visit with his family (much later, after the war) rather than his arrival at the camp during the war. While both responses from Pinchas-DiT were factually true in relation to the baseline questions posed to Pinchas Gutter during the interview process, their contextual accuracy was compromised due to the keyword selection process embedded in the interview database. And there were moments when Pinchas-DiT delivered spot-on answers that nonetheless sounded boilerplate.<sup>122</sup>

We may think that the hologram is the enactment of the perfection of memory (ever-lasting and unchanging), but Pinchas-DiT is evidence that precision technology is not free (at least, not *yet*) from glitches or inaccuracies. Leopard and Shenker interpret the errancies of the virtual witnesses as similar to the vulnerability of the memories of aging survivors: “their technological lapses, misses, and breakdowns can evoke a sense of corporeal verisimilitude that ironically mirrors the increasingly fragile state of the living flesh-and-blood survivors as their health and cognition decline.”<sup>123</sup> But technological lapses, misses, and breakdowns are not *human* failures. They are failures of a technology that—in its pursuit to simulate human interaction—overrides what makes memory an especially human faculty.

In one sense, then, the virtual witnesses are technological manifestations of Borges’ fictional Funes. Though created with intent rather than as the result of an accident, they too are

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our wording and said, “That’s not a simulation, that *is* Pinchas Gutter.” Leopard and Shenker, “Pinchas-DiT: Simulation and the Imagined Future of Holocaust Survivor Memory,” 270-272).

<sup>122</sup> Leopard and Shenker, “Pinchas- DiT: Simulation and the Imagined Future of Holocaust Survivor Memory,” 257.

<sup>123</sup> Ibid., 273. Leopard and Shenker write about interacting with one of the virtual survivors, Eva: “We asked her about her brother, a question to which she could not respond. We followed up by asking her if she was a real person or a hologram. Her reply: ‘Yes, I’m a very happy person.’ Most visitors to the DiT exhibit directed their questions to Pinchas-DiT and not to Eva-DiT, and those who did address her appeared frustrated by her inability to respond appropriately. They quickly appeared tired of interacting with her and either returned to questioning Pinchas-DiT or drifted away to other parts of the museum. Further diminishing her presence in the exhibition space, Eva-DiT’s image resolution onscreen seemed less sharp than that of Pinchas-DiT. And as we were concluding our visit, Eva-DiT’s screen blanked out and defaulted to the MacOS home screen image of a mountain range.” Ibid., 268.

incapable of forgetting. Just as Funes can be read as a tragic character—plagued with the inability to forget, I read the virtual witnesses as also operating in the tragic mode—condemned to live out a perpetual, mechanistic repetition of their traumas. Judith Butler presumes “that speech is always in some ways out of our control.”<sup>124</sup> Yet the virtual witnesses speak without the possibility for improvisation or going off script, which, arguably, is not speech *as such* (which means that they are not heir to Austin’s infelicity, but to infelicities of other kinds). What kind of story can a simulated witness tell?

Primo Levi reminds us that aberration is a part of the declaration of first-person narrative and the possibility of apology is a constitutive feature of testimony. “For Levi,” Judith Butler writes, “the very possibility of telling a story was necessary to refuse the revisionists, but the trauma that inflects and interrupts every story and even the modes of forgetfulness that allowed him to live as long as he did seem to work against this important historical and juridical demand to give a clear account of what happened.”<sup>125</sup> Levi’s apology in *The Drowned and the Saved* exists within this tension that Butler names here. The tension calls not for resolution, but for improvisation. Attending to improvisation in ritual resists mechanisms of rote representation that constrain memorial practices to mere repetitions. Ritual is something that we *do*. So is Holocaust memory. If we override improvisation for pre-programmed scripts, then we trade in Levi for Funes, we risk the prefigurative power that ritual and memory carry, and we foreclose the possibility of our memorial practices—and our understanding of history itself—remaining open to change. Like those who interact with Funes the Memorious, we risk becoming “benumbed by the fear of multiplying useless gestures.”<sup>126</sup>

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<sup>124</sup> Judith Butler, *Excitable Speech*, (New York, NY: Routledge, 2021), 15.

<sup>125</sup> Judith Butler, *Parting Ways: Jewishness and the Critique of Zionism*, (New York: Columbia University Press, 2012), 182.

<sup>126</sup> Borges, *Funes the Memorious*, 95.

This chapter has charted various cases in which gaps are trying to be closed: for Smith, the bear hunt ceremony functions to overcome the gap between what is and what ought to be; for Myers and Funkenstein, Yerushalmi's distinction between Jewish history and Jewish memory needs either to be collapsed or triangulated. On my reading, the Dimensions in Testimony exhibits are another attempt to close the gaps that condition their context. They close the gap between memory and archive by performing aliveness through a rejection of finitude. And they close the gap between improvisation and composition, by claiming to perform testimony and conversation, while at the same time being unable to deviate from the content that makes up their limited archive. They cannot initiate or iterate speech. As such, they enact an impoverished sense of memory (if we can call it memory) that is parasitic on the rituals of Jewish memory that they disavow. Their ritual structure depends on a tragic view of the world—stuck, as is Funes, in repetitions of the same that are emptied of any possibility of improvisation. Dimensions in Testimony masquerades as a ritualized form of Jewish memory. The project actually violates the distinction between history and memory—a distinction that ritual, and Yerushalmi, holds open.

In *Zakhor*, Yerushalmi chronicles the events that lead history to become the arbiter of Jewish memory and in “Series Z” he speaks from a moment in which the archival document is revered as the arbiter of historical truth. But before the latter half of the nineteenth century, the historian was never the primary custodian of Jewish memory. And before modern times, the archival document was never the primary custodian of historical truth. The virtual witnesses exhibit this same custodial desire, made possible by the preservative technology that hopes to eternalize survivor testimony. Yet Yerushalmi reminds us that the eternal is not our immediate concern (as if channeling an Arendtian critique of globality).<sup>127</sup> If the virtual witness is an

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<sup>127</sup> Yerushalmi concludes the final chapter of *Zakhor* with these lines: “There may well come a time when a new consciousness will prevail that will wonder why so many of us were immersed in history, or it may not bother with

inadequate custodian of Jewish memory, then perhaps we need to search for a different custodial character.

In place of the tragic (but kind of funny) Funes, I turn in the next chapter to the comic character of a fictional dybbuk from Romain Gary's 1967 novel, *The Dance of Genghis Cohn*, in which a comedian killed in Auschwitz returns as a dybbuk to haunt the Nazi guard who yelled "Feuer!" This move makes an intentional shift in figure and in genre—from virtual witness to dybbuk, and from tragic to comic. I present a reading of the novel in which ritual failure is an act of what Jonathan Lear calls radical hope: a hope that "is directed toward a future goodness that transcends the current ability to understand what it is. Radical hope anticipates a good for which those who have the hope as yet lack the appropriate concepts with which to understand it."<sup>128</sup> This opens up a new way of thinking about ritual in which failure may be necessary for the ritual to survive. Genghis Cohn's ritual life takes place through the body and mind of a Nazi—the world that his ritualizing requires is gone, but he chooses to do it anyway. The shift to Gary's novel and to Lear's radical hope thus asks us to consider ritual failure in extraordinary contexts. It turns our attention from the ordinary to the post-ordinary: what does it mean to ritualize when the normative frames and contexts that ritual requires have been destroyed?

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us at all. Perhaps, in the end, it is such a thought that helps keep me at my task. The very ability to conceive a time when men and women think differently than we, be it in the future or in the past, is the fruit of that historical consciousness which is ours in the present. We cannot avoid it without an inner violence and betrayal, even if we know that what we do may only be provisional. But that is all right. In the terrifying time in which we live and create, eternity is not our immediate concern." Yerushalmi, *Zakhor*, 103.

<sup>128</sup> Jonathan Lear, *Radical Hope: Ethics in the Face of Cultural Devastation* (Cambridge, MA: Harvard University Press, 2006), 103.

## CHAPTER FOUR GENGHIS COHN'S RADICAL HOPE

"Everything is possible, in this world which is waiting to be created."  
— Romain Gary, *The Dance of Genghis Cohn*

When French novelist and famed literary con artist Romain Gary (1914-1980) visited the Warsaw Ghetto in 1966 with his then-wife Jean Seberg, he "fainted after having hallucinated the arm of a hidden Jew shaking its fist at him through a sewer grill."<sup>1</sup> This event inspired the plot of his 1967 novel, *The Dance of Genghis Cohn*, in which a Jewish comedian killed in Auschwitz returns as a dybbuk to haunt Schatz, the Nazi-turned-police commissioner who ordered his murder by firing squad.<sup>2</sup> Genghis Cohn is Moishe Cohn's stage name, and he was a comedian until the very moment he was killed: turning around, exposing his bare ass, and shouting "*Kush mir in tokhes*" at his executioners.<sup>3</sup> And he remains a comedian in his dybbuk form, a character which has typically appeared in Jewish mystical narratives as a tormented soul unable to transmigrate and who possesses the body of a living person. But Genghis Cohn is not a typical

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<sup>1</sup> Nancy Huston, "Romain Gary: A Foreign Body in French Literature," *Poetics Today*, vol. 17, no. 4, (1996), 559. Gary has been called a con artist because he won the Prix Goncourt twice—a French literature prize that you are only allowed to win once—in 1956 for *The Roots of Heaven*, and again in 1975 for *The Life Before Us* written under his alias Émil Ajar.

<sup>2</sup> Gary first published the novel in French, and then translated it into English himself with assistance from Camilla Sykes a year later. But there's more to the translation story than the novel's frontmatter conveys. David Bellos writes, "The manuscripts of *Genghis Cohn* suggest that Gary began writing this vicious screwball comedy in English, then switched to French halfway through. He had the published French version quickly back-translated by Camilla Sykes, but then rewrote her plain but by no means incompetent version from top to bottom, adding chapters, Yiddish jokes and topical references including one of the funniest remarks ever made about de Gaulle." David Bellos, *Romain Gary: A Tall Story* (London: Harvill Secker, 2010), 335-336.

<sup>3</sup> Romain Gary, *The Dance of Genghis Cohn* (Cleveland, OH: The New American Library, 1968), 23.

dybbuk, and neither is the novel—in which Genghis Cohn narrates his dybbuk-hood—a typical dybbuk story.

In the previous chapter, I took up Yerushalmi's warning that "the shadow of Funes the Memorious hovers over us all" as a parable for modern historiographic trends that substitute robust memory practices for obsessive documentation.<sup>4</sup> I argued that improvisation is essential to ritual enactments and that the virtual witnesses of the Dimensions in Testimony project—spectral figures unable to improvise their speech—carry out a tragic form of Holocaust memory, which is also in keeping with the register of Fackenheim's Zionist politics that we saw in chapter two. A 2020 volume on Holocaust humor, *Laughter After*, takes up the same concern as the Dimensions in Testimony project: "Without survivors to tell their stories, to serve as constant reminders of what they experienced, how will future generations understand and relate to the Shoah?"<sup>5</sup> But, contrary to Dimensions in Testimony, the volume aims to reorient our memorializing from the tragic to the comic. The editors present Holocaust humor as "a task that has become more urgent as we enter a memorial landscape in which the contact with that past continues to recede."<sup>6</sup> They affirm Holocaust humor as a project engaged in memorial and political work.

Despite an expansive range of sources and perspectives, however, the volume's many chapters mention Gary's *The Dance of Genghis Cohn* only infrequently and mainly in a negative light. One contributor glosses over *Genghis Cohn* in considering work on Holocaust humor on account of not finding it funny: "Whatever its rather ambitious intentions, that novel is not funny."<sup>7</sup> The only other mention of *Genghis Cohn* in the volume does find it both funny and

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<sup>4</sup> Yosef Yerushalmi, *Zakhor: Jewish History and Jewish Memory* (Seattle, WA: University of Washington Press, 1996), 102-103.

<sup>5</sup> David Slucki, Gabriel N. Finder, and Avinoam Patt, "To Tell Jokes After Auschwitz is Barbaric, Isn't It?" in *Laughter After: Humor and the Holocaust*, ed. David Slucki, Gabriel N. Finder, and Avinoam Patt (Detroit, MI: Wayne State University Press, 2020), 7.

<sup>6</sup> Slucki, Finder, and Patt, "To Tell Jokes After Auschwitz is Barbaric, Isn't It?," in *Laughter After*, 9.

<sup>7</sup> Stephen J. Whitfeld, "'A Ring of Fire': Humor and the Holocaust" in *Laughter After*, 120.

effective, but interprets the story as a narrative of revenge in which the Jew finally gets back at the Nazi who killed him, a narrative that promises a Germany eternally terrorized by Jewish laughter. I am dissatisfied with both of these readings: one prematurely ushers Genghis Cohn off the comedic (and memorial) stage, and the other interprets Cohn's dybbuk-hood as a means to carry out an elaborate payback scheme that is ultimately written off as "pure fantasy" and revenge.<sup>8</sup> Even though *Laughter After* credits Gary with the first literary attempt at memorializing the Holocaust through comedy, the volume fails to see how its own project is indebted to Gary's 1967 novel.<sup>9</sup> When we approach the novel from this project's perspective of ritual and performative failure, we see that Gary's comic inhabitation of the post-Holocaust world is an invitation to re-genre our relationship to the Holocaust, and Genghis Cohn is an essential character to this effort. Still, *Laughter After*'s decisive turn to Holocaust humor seems to suggest that a project inaugurated in the 1960s must be renewed in the 2020s, where we find ourselves in a political moment that is grappling with questions around Holocaust representation; one question being: what will Holocaust memory look like as we enter into a post-survivor age?

More than half a century ago, Gary wrote *The Dance of Genghis Cohn* in a similarly post-Holocaust landscape in which questions of genre and representation were debated publicly. Namely, Gary created his dybbuk in the years that followed the publishing of and controversy inspired by Hannah Arendt's 1963 report on the Adolph Eichmann trial, in which she offers a re-plotment: Eichmann is not a monster, he is a joke or a "clown."<sup>10</sup> There is evidence in the novel that Gary was thinking about Arendt's report and the public debates that ensued. At the

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<sup>8</sup> Jarrod Tanny, "'We're Safe Here, but Poland Is a State of Mind': The Exploitation of Holocaust Consciousness in Jewish Fiction and Memoirs" in *Laughter After*, 165.

<sup>9</sup> "Published in 1967, the novel is perhaps the first comprehensive literary exploration of how comedy could serve as a valuable tool for grappling with the Holocaust's legacy." Tanny, "Holocaust Consciousness in Jewish Fiction and Memoirs," 164.

<sup>10</sup> Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, (New York, NY: Penguin Books, 2006), 54.

end of the novel, Gary complains to Cohn: “who wants to hear another Eichmann yarn? The public is saturated.”<sup>11</sup> And, in a melodramatic outburst, the Nazi defends himself, riffing on Eichmann’s own defense: “I’m an obedient, zealous official. I shouted ‘Fire!’ because I had orders! I had orders! Orders, Cohn. I only did my duty.”<sup>12</sup> If we read *Genghis Cohn* as a response in part to debates around Eichmann (and Arendt), we can approach the text as Gary’s attempt to process a political moment that held questions about Holocaust representation at its core. Genghis Cohn’s comic persona counters the emotionalism of the Eichmann trial and the political world in which it was staged. Cohn delivers a judgment rendered through laughter rather than by a judge’s decree, and he does this knowing what Arendt could not have known in advance—that in this context, laughter would be condemned.<sup>13</sup>

Criticisms directed at Arendt for her report similarly reappeared when Gary published his novel right before the Six-Day War and as Pro-Israel sentiment was spreading within the French Left. Political concerns among French Jewry in the late 1960s “made *The Dance of Genghis Cohn* seem an utterly tasteless, marginally anti-Semitic work. Making fun of the Holocaust was not allowed,” David Bellos wrote in his biography of Gary. “According to *L’Express*, it was even ‘an affront to the memory of those who died at Auschwitz.’”<sup>14</sup> Not only does Gary’s dybbuk bridge the living and the dead, Cohn also weakens boundaries between the Nazi and the Jew. In

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<sup>11</sup> Gary, *Genghis Cohn*, 235.

<sup>12</sup> Ibid., 84.

<sup>13</sup> In his *Jokes and Their Relation to the Unconscious*, Freud summarizes literatures that define jokes as acts of judgment, sometimes *playful* acts of judgment. Sigmund Freud, *Jokes and Their Relation to the Unconscious*, trans. and ed. by James Strachey, (New York, NY: W. W. Norton and Company, 1989), 6-8. One of Arendt’s main criticisms of Eichmann is that he was unable to think; he could only speak in cliché. She reports: “Whether writing his memoirs in Argentina or Jerusalem, whether speaking to the police examiner or to the court, what he said was always the same, expressed in the same words. The longer one listened to him, the more obvious it became that his inability to speak was closely connected with an inability to *think*, namely, to think from the standpoint of someone else. No communication was possible with him, not because he lied but because he was surrounded by the most reliable of all safeguards against the words and presence of others, and hence against reality as such.” Arendt, *Eichmann*, 49.

<sup>14</sup> Bellos, *Romain Gary: A Tall Story*, 340.

one scene in which Cohn and Schatz's identities begin to collapse into one another, Cohn narrates, "There are moments when I begin to feel that both of us are merely *humans, tfou, tfou, tfou*, and thus the Nazi is capable of turning up in the Jew and the Jew in the Nazi: we are both part of the very semen of the species."<sup>15</sup> In *Laughter After* the indistinction between Cohn and Schatz is interpreted as a story of revenge: the Jew finally gets the chance to torture the Nazi that killed him. But I read Gary's project as offering an account that has more in common with Arendt's *Eichmann*. *Genghis Cohn* offers a banality of evil thesis that can only be understood in light of its genre and tone. Recall Sean Zwagerman on J. L. Austin: to miss his humor is to miss his point.

I have argued in the preceding chapters for a performative account of ritual in which the possibility of failure is an essential feature of all ritual enactments, and, indeed, that the risk of failure makes ritual acts meaningful. There are of course other sources of meaning in ritual, like tradition and community, but, as I argue, the frame of performativity discloses the risk of failure as an essential category of meaning in ritual acts. Recall Shoshana Felman's double move in *The Scandal of the Speaking Body* in which she asks what Austin's performative theory illuminates about the myth of Don Juan, and then what the myth of Don Juan illuminates about Austin's performative theory in turn. On Felman's reading, Don Juan with his seductive marriage vows becomes a fictional representation of Austin's performative act. Performatives contain an inherent breach, Felman argues, noting that Don Juan's broken promises are "capable above all of the act of *failing*, of missing or of losing ground."<sup>16</sup> Where Don Juan's performative is exalted in a breach (that conditions his subsequent promises and sets the drama into motion all over

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<sup>15</sup> Gary, *Genghis Cohn*, 65.

<sup>16</sup> Shoshana Felman, *The Scandal of the Speaking Body: Don Juan with J.L. Austin, or Seduction in Two Languages*, (Stanford, CA: Stanford University Press, 2002), 44.

again), Austin's is at home in the ordinary, because, as he says, "infelicity is an ill to which *all* acts are heir."<sup>17</sup> Both Felman and Austin, however, theorize performative failure in a world that is made up of slippages and misfires, but whose normative frames remain relatively unbroken: Don Juan's broken promises still uphold heterosexual marriage as a fundamental pillar of social life, and, while Austin's criteria allow for variation, as I suggested in chapter two, they are still maintained as the conditions around which performative acts operate.<sup>18</sup> That is to say, for both Don Juan and Austin, felicity and infelicity never lose their legibility as meaningful judgments and distinctions because even infelicitous acts support the normative standards of the social worlds in which they take place. In contrast with these accounts, this chapter is concerned with the meaning of ritual failure in the wake of what Jonathan Lear calls cultural devastation—an extreme form of loss that encompasses the loss of a culture's normative conceptual frames.<sup>19</sup> This is a more radical failure than the contingency to which Austin calls attention. Genghis Cohn's world as he once knew it is destroyed; he exists in this new world only trapped inside of his murderer. What does it mean for ritual to happen *there*?

I now turn to *The Dance of Genghis Cohn*, not only as a text of Holocaust memory carried out in a comedic mode, but also, and most central to this project, as a text of ritual failure

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<sup>17</sup> J. L. Austin, *How to Do Things With Words*, (Cambridge, MA: Harvard University Press, 1975), 18-19.

<sup>18</sup> Elsewhere, Felman does think in terms of a breakdown in norms. In a chapter in her *The Juridical Unconscious*, Felman writes about the Eichmann trial. She focuses on a scene from the trial in which a key witness, who went by the name K-Zetnik, fainted on the witness stand while delivering his brief testimony. Arendt pays this scene little attention: she reports, "In response [to Hausner's questions], the disappointed witness, probably deeply wounded, fainted and answered no more questions." Arendt, *Eichmann in Jerusalem*, 224. Ariela Azoulay and Bonnie Honig suggest that Arendt's brevity is really a sign of respect and can be read as an act of care. Ariela Azoulay and Bonnie Honig, "Between Nuremberg and Jerusalem: Hannah Arendt's *Tikkun Olam*," *differences*, vol. 27, no. 1, pp. 48-93, (2017). For Felman, the purpose of the trial was to language experience, and it ironically achieved its aims through "[m]oments of institutional collapse and of 'caesura' of the legal discourse." Shoshana Felman, *The Juridical Unconscious: Trials and Traumas in the Twentieth Century*, (Cambridge, MA: Harvard University Press, 2002), 165. On her reading, the failure to communicate the horrors of the Holocaust was the trial's most potent and successful message. Therefore, "K-Zetnik's testimony, which defies at once legal reduction and legal closure, must remain unrealized, unfinished." Felman, *The Juridical Unconscious*, 151.

<sup>19</sup> Jonathan Lear, *Radical Hope: Ethics in the Face of Cultural Devastation* (Cambridge, MA: Harvard University Press, 2006).

after catastrophe. Yet, as I hope to show in this chapter, these matters of genre and failure are interconnected in ritual. Through his invitation to re-emplot our relationship to the Holocaust, Gary also invites us to consider when deviation from convention can be something productive in our practices of ritual and memory. For this effort, Austin can only get us so far. His theory of the performative asserts that the risk of failure is a condition of performative speech. But his language around performative failure, as I have argued, is affectively tragic, which has led to readings in which performative failure itself is read as tragedy. When adopted into ritual studies, this means that ritual failure too is typically figured as or assumed to be tragic. These readings crucially miss Austin's humor and the playfulness at the core of his philosophical method. Tragedy, I suggest, is not the only genre through which to understand ritual failure. But the concerns in *Genghis Cohn* take us beyond Austin and closer to Jonathan Lear because Cohn's ritualizing is set in a world that no longer exists.

So if we are in search of an account of ritual failure in which failure might be something *good* for ritual life, in cases in which normal ritual life is for now out of reach, but ritual is still alive and necessary, then we need to look outside of ritual studies. In philosopher Jonathan Lear's *Radical Hope* (2006), I find an account of ritual failure in which the infelicity of a ritual act is what gives the act meaning and future possibility. Thus, amending the performative turn in ritual studies, this chapter invites ritual studies to cast a wider frame and it also invites Lear into the field. Where Austin's performative frame depends on meaningful norms remaining in place, Lear asks: what if there are no more meaningful norms? In the face of catastrophe, what kind of ritual system is left and how can ritual yet respond to the abyss? In *Radical Hope*, Lear argues that an empty, futile gesture can be hopeful; that a failed ritual is still ritual and can be necessary for making a ritual future possible.

This chapter accordingly shifts in theoretical partner and in genre. The textual pairing—*Radical Hope* and *Genghis Cohn*—might seem unexpected and there are some important differences to name in these texts. Lear is writing about the dispossession of traditional Crow culture in late nineteenth century North America; Gary writes about the ghost of a European Jew who was killed in the Nazi Holocaust. Lear describes *Radical Hope* as a philosophical anthropology; *Genghis Cohn* is a fantastical blend of fiction and autobiography. *Radical Hope* takes on a more solemn, though ultimately hopeful, disposition; *Genghis Cohn* is a comedic novel that jokes about serious matters. This chapter’s argument is not comparative, and it is not an attempt to simply apply Lear’s concept of radical hope to a new context. Rather, reading Lear and Gary together uncovers what I see as a theoretical similarity between them—one that asks ritual studies to consider ritual failure in extraordinary contexts. The cultural devastation of the Crow and the destruction of the European Jews both resulted in what Lear elsewhere calls a crisis of intelligibility: when “the concepts and categories by which the inhabitants of a form of life have understood themselves—their acts, projects, and ideals—cease to make sense as ways to live.”<sup>20</sup> Like Fackenheim in *To Mend the World*, Lear also turns to the language of “rupture” and “abyss” to name the loss of a way of life and the forms of thought that it contained. It is also important that Lear himself has noted that he had histories of Jewish survival in mind while developing his concept of radical hope.<sup>21</sup> Both Gary and Lear offer accounts of ritual enactments that are *absurd* (as in lacking sense), but despite their absurdity, or maybe *because* of it, they offer a way forward through a breakdown of meaningful life. Approached performatively, these

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<sup>20</sup> Jonathan Lear, *Wisdom Won From Illness: Essays in Philosophy and Psychoanalysis* (Cambridge, MA: Harvard University Press, 2017), 50-51.

<sup>21</sup> For example, see Lear, *Radical Hope*, 163, n. 42. I return to this point with Hindy Najman later.

accounts provide a view of ritual in which a failed act carries a hope for a not fully determined—*but a possible*—future.

Throughout the course of *Genghis Cohn*, boundaries blur to a confusing degree. It becomes difficult to parse out whose thoughts and speech belong to whom: Cohn the Jew, Schatz the Nazi, or Gary the novelist. And by the end, there's hardly a discernable plot left at all; but this chaos and indeterminacy is a part of the story. *Genghis Cohn*, in its refusal to be only serious, marks a break with conventional forms of Holocaust memory literature. Gary's literary project cuts through the mirage of seriousness. It gives life to an alternative form of Holocaust memory that chooses, for now, the joke that might not land over the fictions that govern our writing, thinking, and remembering the past. It is a risk but also an act of possibility, like Cohn's messianic dream that "one day the world will be created."<sup>22</sup> In turning from one J. L. to another, I argue that Genghis Cohn's ritualizing is an act of radical hope that does not depend on context (Austin) but hopes to re-create one (Lear).

### *Genghis Cohn the ritualist*

Genghis Cohn is an unlikely custodian of Jewish memory. He makes jokes instead of promises, and documentation and greatness are two of his biggest fears. His comedy might seem like a failure to survive triumphantly, but it shows the ways in which narratives of triumphant survival often obscure messy, uncertain, and ordinary experiences behind the stories and tropes that have been sacralized. In his essay, "Holocaust *Laughter?*," Terrence Des Pres problematizes

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<sup>22</sup> Gary, *Genghis Cohn*, 205.

three fictions that govern writing about the Holocaust, the third being that seriousness has emerged as the only appropriate mood through which to thematize it.<sup>23</sup> That these fictions have enjoyed the status of permanent norm in the field of Holocaust studies is an issue for Des Pres, as seriousness, or “tragedy’s serious style,” compels us “to a standstill by the matter we behold.”<sup>24</sup> Against these trends, Des Pres argues a turn to comedy refuses to take the Holocaust “on its own crushing terms.”<sup>25</sup> This is a refusal totally foreclosed by Fackenheim’s worldview, for example, as I argued in chapter two. For Fackenheim, the Holocaust was a rupture “that called into question all things—God, man, the ancient revelation and the modern secular self-confidence, philosophic thought and indeed any kind of thought.”<sup>26</sup> Where I read his example of the women’s infelicitous Yom Kippur observance as a refusal to give into the crushing terms of the Holocaust, Fackenheim tells the story in service of a tragic political orientation that, in Des Pres’ terms, says “yes to the authority of the Holocaust.”<sup>27</sup> When seriousness envelops us in a deafening silence, we may want to laugh at the absurdity. But that is not allowed.

The dissertation has called the demand for seriousness into question, in regards to both performativity and Holocaust memory. The uptake of both projects has, for the most part, been carried out in serious tones: language is serious business, the Holocaust is a horrific history. I have also said that this dissertation takes failure seriously, which is one way to criticize projects that presume success as a permanent norm or that dismiss failure as trivial, extraordinary, external, or harmful to ritual acts. But taking something seriously need not call for an exclusively serious tone. In *The Dance of Genghis Cohn*, Romain Gary draws on the trope of the dybbuk

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<sup>23</sup> I provided a more extensive explication of Des Pres’ three fictions in chapter two.

<sup>24</sup> Des Pres, “Holocaust *Laughter?*,” 232.

<sup>25</sup> *Ibid.*, 220.

<sup>26</sup> Fackenheim, *To Mend the World*, 9.

<sup>27</sup> *Ibid.*

narrative to resist the rules of Holocaust etiquette. He crafts a character who thrusts the problem of seriousness into sharp relief. As a character who exists between worlds—the living and the dead, the Jew and the Nazi—Genghis Cohn troubles conventions of Holocaust literature and the narratives carried out in service of such projects: his comedy is always mired in tragedy, and his tragedy is always informed by the comic. Des Pres, however, misses *Genghis Cohn* too. Some twenty years after Gary's novel was published, Des Pres poses Holocaust laughter as a question, and his apt descriptions of Holocaust humor never take up Gary's dybbuk.

Writing on Gary's influence in French literature, Nancy Huston calls *The Dance of Genghis Cohn* "one of Gary's most dizzying literary achievements."<sup>28</sup> The story opens in late 1960s Germany, in the small town of Licht, where a string of odd murders have worried the townspeople and utterly puzzled police commissioner Schatz—the former Nazi who ordered Cohn's death. The murdered are all men, found with their pants unzipped and their faces frozen in expressions of sexual elation. Schatz is well-respected in Licht, but his leadership comes under scrutiny as more dead bodies appear (twenty-two and counting) and as his strange Yiddish outbursts, blamed on alcoholism and stress, have become more frequent.

At the novel's beginning, Cohn has been inhabiting Schatz's psyche for roughly a quarter century. He narrates: "We became inseparable, Schatzchen and I, on a certain beautiful, cold day of April 1944. Schatz has sheltered me ever since."<sup>29</sup> "We've been inseparable for so long," Cohn says, "that we have built up together a secret little world."<sup>30</sup> Up to this point, Schatz has managed to keep Cohn fairly hidden; he observes Shabbat and prepares kosher foods only in

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<sup>28</sup> Huston, "Romain Gary: A Foreign Body in French Literature," 559. David Bellos notes that Gary wrote *The Dance of Genghis Cohn* as his marriage with Jean Seberg was falling apart. The other novel he wrote during this time was also a comedy, *White Dog*, about racism in the United States. See Bellos, *Romain Gary: A Tall Story*, 335.

<sup>29</sup> Gary, *Genghis Cohn*, 5.

<sup>30</sup> *Ibid.*, 9.

private. Schatz even keeps a Jewish calendar posted in his medicine cabinet, so as to never miss a holiday, which signals that for the Nazi and the dybbuk, ritual is a central activity. The unsolved murders in *Licht* have taken their toll, however, and Cohn starts to appear when Schatz is at work, with colleagues in the room: “It is not often that one sees a German Commissioner of the *erste Klasse*, even in the advanced state of alcoholic delirium, dance the *hora*.”<sup>31</sup> Schatz addresses the outbursts. He confesses to his colleagues that “‘I’ve got a Jew on my back, that’s what. Of course, it’s only a hallucination—I am perfectly aware of that—but knowing it doesn’t help a bit.’”<sup>32</sup> And the doctors don’t help either: “they’re afraid they’ll be accused of genocide again.”<sup>33</sup> What right do German doctors have to exorcise a Jewish dybbuk? The question is absurd. But then again, “this is the first time in the history of thought and religion that a pure Aryan, a former SS, has been possessed by a Jewish dybbuk.”<sup>34</sup> Our contemporary minds might call this “unprecedented.”

Genghis Cohn addresses the reader as if he is speaking onstage, perched on a stool with a mic in hand: “Allow me to introduce myself: the name is Cohn, Genghis Cohn: my real name was Moishe, but Genghis went better with my rather wild stage personality.”<sup>35</sup> While performing on the “Yiddish burlesque circuit” in the 1930s, critics attacked his abrasive brand of comedy for being “either too arrogant or too self-deprecating,” stuck “‘between a sort of Jewish Uncle-Tomism and hostility.’”<sup>36</sup> He shares that his friends had asked him to tone down his act, on account of there being too much antisemitism already.<sup>37</sup> But Cohn is as committed to his comedy as he is to his dybbuk-hood. He speaks of his condition—Jew, comedian, dybbuk—as his

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<sup>31</sup> Ibid., 65.

<sup>32</sup> Ibid., 21.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid., 81.

<sup>35</sup> Ibid., 3.

<sup>36</sup> Ibid., 4.

<sup>37</sup> Cohn is a post-Lenny Bruce comic, but Gary writes him as if he were Bruce’s predecessor.

destiny: “It has been my fate to add a new dimension to the legend of the Wandering Jew: that of the immanent Jew... You are probably familiar with the new twist given to our old saying in all the *Bierstuben* around Buchenwald, when a sudden silence falls in conversation: *A Jew is passing by.*”<sup>38</sup> Cohn, as I have suggested, is also a ritualist which I read as another part of his destiny. There is an intentionality in his ritual practices, and the Jewish calendar in Schatz’ medicine cabinet reveals the high stakes of doing ritual right (notably a resource that the women in Fackenheim’s Yom Kippur story did not have access to). For Cohn, ritual observance is not just a force of habit or a simple continuity of his life before Auschwitz took it away; being a ritualist is more accurately—like Jew, comedian, dybbuk—*who he is*.

Cohn makes himself appear when it is time to “refresh [Schatz’s] memory” because, in typical dybbuk fashion (and typical Holocaust memory fashion), he fears that he will be forgotten. He “appear[s] in front of Schatzchen and stare[s] at him, with [his] big, reproachful eyes”:

Let me tell you that I make quite a sight. I’m wearing a long black coat over my Auschwitz-style striped pajamas and, right over the heart, the infamous yellow Star of David, as the regulations required it. My face is very pale, ghastly white, in fact: no matter how courageous you are, when the machine guns are aimed at you and the order *Feuer!* is already on the officer’s lips, it does something to you, no use denying that. I’m covered with plaster and chalk from head to toe: coat, nose, hair, everything. We were made to dig our graves among the ruins of an industrial plant in the Forest of Geist. The factory had been destroyed by the Allied Air Force and the idea was to punish us on the spot, symbolically, so to speak. Our corpses were left piled up on top of one another for quite a while, also symbolically. It was there that Schatz, who was the young officer in charge of the execution, picked me up, without realizing it at the time.”<sup>39</sup>

Eli Pfefferkorn notes how Cohn’s use of self-irony and self-deprecation here takes on a “vaudeville posture” and participates in a “traditional Yiddish macabre humour,” which saves his

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<sup>38</sup> Ibid., 7.

<sup>39</sup> Ibid., 14.

“description of the execution from emotionalism.”<sup>40</sup> Cohn’s striking and dramatic appearance is countered by his jesting personality: he admits, “I must look like some sort of ghostly Harpo Marx.”<sup>41</sup> And while Cohn introduces himself to the reader through words, he marks his introductions to Schatz through dance—typically the hora: “Tap-tap-tap! go my heels on the floor, tap-tap-tap!”<sup>42</sup> “Whizz—bang—tra-la-la!”<sup>43</sup> Cohn’s titular dancing means he haunts his host with the joy of Jewish movement—movement that Schatz must vicariously perform. Cohn’s dancing is also, as a choreographed and intentional performance, in direct contrast with Gary’s fainting in the Warsaw Ghetto (an accidental and uncoordinated movement) that inspired the story.

Yet the fainting episode is not mere inspiration for the narrative; Gary also wrote it into the novel. Parts II and III take Cohn and Schatz into the Forest of Geist, where they follow the suspected murderers: Lily, a Baroness who represents Humanity, and Florian, her gamekeeper who represents Death. She desires indiscriminately and is constantly dissatisfied, he does everything in his power to appease her (and he is also the only other character who can hold his own in a joke-off with Cohn). The pair make a murderous team: luring in men who yearn after Lily’s charms, and killing them when they are unable to satisfy her. Forensics finds Lily’s fingerprints on the victim’s bodies: “There’s no doubt that she lent a hand. That explains the expression of bliss on the faces of these unhappy bastards.”<sup>44</sup> Lily’s husband, in denial, blames his wife’s actions on “dreadful Jewish obscenity.”<sup>45</sup> The Licht murders reveal simultaneously a

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<sup>40</sup> Eli Pfefferkorn, “The Art of Survival: Romain Gary’s *The Dance of Genghis Cohn*,” *Modern Language Studies*, vol. 10, no. 3, pp. 76-87 (1980), 80.

<sup>41</sup> Gary, *Genghis Cohn*, 14.

<sup>42</sup> *Ibid.*, 65.

<sup>43</sup> *Ibid.*, 91.

<sup>44</sup> Gary, *Genghis Cohn*, 90.

<sup>45</sup> *Ibid.*, 71.

(not so) latent postwar antisemitism and a Holocaust denialism: the Jews are once again to blame even as they're being erased from historical memory.

Driven mad by the murders and by each other, Cohn and Schatz head into the Forest, which is also where Cohn dug his own grave twenty-four years ago. The Forest is revealed to be Gary's own subconscious reified—specifically, “the tortured subconscious of an intellectual who has got the Warsaw ghetto on his mind.”<sup>46</sup> In chapter twenty, “Inside,” Cohn and Schatz come to the realization that they exist in Gary's mind, at the mercy of his pen. Cohn tries “to remain calm. Everything is possible, in this world which is waiting to be created.”<sup>47</sup> But he can't stand the thought of being “a mere psychoanalytic element” trapped in a writer's subconscious, and Schatz likewise worries, ““If he gets rid of us, Cohn, we'll cease to exist and to matter. We'll matter as little as all the other victims of history.”<sup>48</sup> The narrative explodes into compounding possessions: Cohn of Schatz and Schatz of Cohn; and, at another level, Gary possesses Cohn/Schatz but Cohn/Schatz also have a hold over Gary. The possessions cause the narrative structure to fall apart, failing to adhere to conventions of its genre. As a story with multidirectional hauntings at its core, these possessions also mimic Michael Rothberg's multidirectional memory: a view of memory that is “subject to ongoing negotiation, cross-referencing, and borrowing; as productive and not private.”<sup>49</sup> Just as Rothberg argues that the content of any given memory can only make sense in relation to other memories, so too does each of *Genghis Cohn*'s hauntings only make sense within their tangled web of hauntedness. Rothberg writes: “Our relationship to the past does partially determine who we are in the present,

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<sup>46</sup> Ibid., 144.

<sup>47</sup> Ibid., 126.

<sup>48</sup> Ibid., 127.

<sup>49</sup> Michael Rothberg, *Multidimensional Memory: Remembering the Holocaust in the Age of Decolonization* (Stanford, CA: Stanford University Press, 2009), 3.

but never straightforwardly and directly, and never without unexpected or even unwanted consequences that bind us to those whom we consider other.”<sup>50</sup> Cohn, Schatz, and Gary are radically changed by each other, to the point where their identities become enmeshed. Not knowing what else to do, in the face of potential erasure from Gary’s subconscious, Cohn dances the hora.

Cohn’s dancing may seem like only a hallucination (in Schatz’s mind) or a puppeteering (of Schatz’s body), but on my reading, the dance is a form of practical memory, like preparing the Sabbath meal. Like the Sabbath observance that can only happen *through* Schatz’s preparation and execution, Cohn’s dancing also requires a vector. In this sense, their movement is shared and their observances are collaborative. This point is not to suggest that Schatz hijacks Cohn’s ritualizing nor that a Nazi doing Jewish rituals should be valorized as an unqualified good, but it is to show that, when faced with a choice—either to abandon Jewish ritual life or to teach Schatz the rules of it—Cohn chooses the latter. We might think of this as an extreme form of improvisation in ritual practice that we saw in chapter three: enacted within Grimes’ spectrum of ritualizing that extends from “scripted and read” on one end to “composing while performing” on the other.<sup>51</sup> Confronted with the loss of his old world of ritual performance, Cohn does ritual differently in order to protect it; he betrays the rules in order to remain faithful to them. Ritual is central to Cohn’s dybbuk-hood, and also therefore to the themes of haunting and memory that the novel develops.

Cohn’s dance is always the hora, which is a traditional and celebratory dance. But Cohn dances the hora in new contexts: rather than at joyous weddings and bar mitzvahs, Cohn dances

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<sup>50</sup> Rothberg, *Multidirectional Memory*, 5.

<sup>51</sup> Ronald L. Grimes, “Improvising Ritual,” in *Reassembling Democracy: Ritual as Cultural Resource*, ed. by Graham Harvey, Michael Houseman, Sarah M. Pike, and Jone Salomonsen (London: Bloomsbury Academic, 2021), 31.

in the Licht police station and in the Forest of Geist—at moments marked by fear and precarity. With his version of the hora, Cohn prioritizes the movement (the steps to the dance) over the traditional occasions for it. His dancing that can only take place in and through Schatz thus creates new meaning in the hora while still continuing to cite tradition. His hora is an *iteration*: necessarily both connected to and removed from its original context. As a dybbuk, Cohn is a bridge between worlds, and his characteristic dancing is a bridge between the past and the future. Like the women in Fackenheim’s story whose Yom Kippur observance is at once nostalgic and hopeful, Cohn’s dancing too conjures the world that he lost and also a future in which that world might return, albeit changed by the past. The same is true for Cohn/Schatz’s Shabbat observance: “On the eve of every Sabbath and holiday,” Schatz prepares Cohn some of his “favorite kosher dishes.”<sup>52</sup> The Nazi takes care to display the food well, often garnished with flowers, and he gets down on his knees as if making an offering to his dybbuk. “It’s a friendly little ritual we have worked out between ourselves,” Cohn says, a ritual that Schatz “scrupulously performs.”<sup>53</sup> Over their long years together, Cohn has taught Schatz how to cook his favorite foods, and Schatz even had to buy a Yiddish dictionary in order to understand himself. In this way, a relationship that is built on a foundational haunting proves also to be educational. The failure of ritual to go on as normal and the hope for ritual’s possible continuity calls for a training in correct ritual performance that can only be executed, in *this* context, through wrongdoing: the Sabbath can only be celebrated and the hora can only be danced through the body of a Nazi. Cohn needs Schatz because “I don’t know at all what would become of me without him,” he admits,

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<sup>52</sup> Gary, *Genghis Cohn*, 8.

<sup>53</sup> Ibid.

conveying a fear of a loss of tradition and a fear of loss of self.<sup>54</sup> Schatz becomes a crucial part of Cohn's ritual life, if only just *for now*.

As they venture into the Forest of Geist, Cohn and Schatz encounter the bizarre stuff of Gary's mind: artists and politicians, a giant tapestry of History, a regretfully resurrected Jesus hiding in the bushes ("I shouldn't have come back."<sup>55</sup>), a crowd of Dominican friars attempting to pull God down to Earth with a rope that disappears into the sky. The story becomes fast-paced, and weaves in and out of Cohn's nightmares and Gary's own professional and political woes. At the novel's end, writes Huston, "the interweaving of the different narrative levels becomes inextricable and the story disintegrates entirely; we are left swimming in the muck of the writer's unconscious, amid corpses and masterpieces, barbed wire and Mozart, he-goats and Stradivarius violins—the flotsam and jetsam of Gary's two unreconcilable obsessions, art and suffering."<sup>56</sup>

But in the midst of all this chaos, Cohn sees what Gary saw in 1966: "In the middle of the Forest of Geist I suddenly see emerging from one of the sewers of the Warsaw Ghetto a naked hand, left weaponless by the whole of humanity. The hand slowly closes, and the Jewish fist remains thus, raised above the sewer."<sup>57</sup> Cohn begins to feel strange: "I don't even know whether I think or am thought of, whether I suffer or am suffered, whether I haunt or am haunted. In short, I feel myself to be *possessed*."<sup>58</sup> He encounters this scene, and these feelings, a few more times. I read here, in Gary's fainting episode and its literary representations, a prefiguration of Cohn's bare ass, the audacious "*Kush mir in tokhes*" that lodged him into Schatz's psyche.

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<sup>54</sup> Ibid., 6.

<sup>55</sup> Ibid., 216.

<sup>56</sup> Huston, "Romain Gary: A Foreign Body in French Literature," 560.

<sup>57</sup> Gary, *Genghis Cohn*, 142.

<sup>58</sup> Ibid., 143.

Exposing his bare ass is Cohn's final corporeal act, and it can be read as initiating his unincorporated acts that follow. Just as Schatz was about to call "*Feuer!*" in Auschwitz all those years ago, Cohn decided to fight back. He reflects:

I have often wondered what it was that made me show him my bare ass at such a tragic moment. I suppose it was my artistic temperament, a last sudden flash of inspiration. Or was it a kind of prophecy, a premonition, almost as if I had foreseen that the Jews would one day be accused of having gone to their death like sheep, without fighting back? The only weapon we had was our bare ass, so I used mine [...] There have undoubtedly been more worthy and noble last words in history than 'Kiss my ass,' but I have never made any claim to greatness and, besides, I'm quite pleased with my effort and only hope that my message will go down to posterity and that I will have thus contributed a little something to our spiritual heritage.<sup>59</sup>

The shaking fist and the exposed ass are both gestures, nonverbal performative conjurings of a tradition of Jewish comedic resistance. And these performative gestures also set the dramas of our two concentric dybbuk narratives into motion: the Jew that causes Gary to faint in the Warsaw Ghetto, and the one that teaches Schatz how to dance the hora (first time as tragedy, second time as farce?). Cohn's act of resistance is also accompanied by a speech act: *Yiddish* words that Schatz likely would not have understood at the time, and that may feel redundant to the corporeal act. But the words "*Kush mir in tokhes*" are by no means emptied of meaning; they invoke the vibrant culture of European Judaism of which Cohn is a part but which is imminently at risk of being lost, *and* they ensure that just a little piece of it lives on in the face of destruction—for posterity, as Cohn says.

Biographer Ralph Schoolcraft writes that when Gary does emerge "from his fainting spell (*when he comes back to himself*, one could say), he is a changed man: he is now a *Jewish* humanist writer."<sup>60</sup> In this sense, Schoolcraft suggests that Gary's awakening might be more

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<sup>59</sup> Ibid., 23.

<sup>60</sup> Ralph Schoolcraft, *Romain Gary: The Man Who Sold His Shadow* (Philadelphia, PA: University of Pennsylvania Press, 2002), 84.

strongly understood as a kind of “rebirth.”<sup>61</sup> Schoolcraft’s interpretation of Gary’s fainting connects Gary to a Jewish comic tradition in which comedy is a vital ritual of memory. It also recalls Hannah Arendt’s conscious pariah, who is universal but rooted in tradition rather than assimilative—aloof and critically distanced from his social world (and often funny!).<sup>62</sup> The writer doesn’t wake up until the very end of the novel: “I don’t know how long I have been lying here, unconscious and delirious, at the foot of this monument, in Nalewki Street where the ghetto once stood.”<sup>63</sup> He finds that his dybbuk “is still there, Cohn the invincible, Cohn the immortal, *mazel tov*.”<sup>64</sup> Gary congratulates Cohn on his endurance, on his immortality rather than eternity, which suggests that Cohn can only survive if we remember him. Thus, Cohn is not a mere psychoanalytic element in Gary’s subconscious: a fictional dybbuk in a post-Holocaust world, he is a conduit of Jewish memory and ritual is one of his methods. It is as if Gary takes a Yerushalmian position: in *The Dance of Genghis Cohn*, ritual is a practice of memory.

In the next section, I argue that ritual is also a mode of what Jonathan Lear calls radical hope, a register through which radical hope appears in the world. In doing so, I offer a reading of Lear as theorizing ritual failure after catastrophe. And I later read *Genghis Cohn* through that lens.

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<sup>61</sup> Schoolcraft, *Romain Gary*, 85.

<sup>62</sup> See Hannah Arendt “The Jew as Pariah: A Hidden Tradition” in *The Jewish Writings*, ed. Jerome Kohn and Ron H. Feldman (New York: Schocken Books, 2007), 275-297. Assimilation is another theme in *Genghis Cohn*, specifically in the drama that unfolds in the Forest of Geist. In a dream sequence, Cohn wakes up in a U.S. Army uniform, and finds that his yellow star has been replaced by a badge that reads “Colonel Cohn.” He’s fighting for the U.S. Army in Vietnam and realizes that he now suddenly harbors feelings of hatred toward the Vietnamese. Schatz congratulates him: “American? *Mazel tov*... You see, once you become one of us, it’s not difficult.” Gary, *Genghis Cohn*, 221-222. Cohn finds a grenade and throws it. Then he screams and wakes up from his nightmare. If this is what it would mean to become human, then Genghis Cohn would prefer the yellow star. “I don’t want to kill no one!” he protests. *Ibid.*, 231.

<sup>63</sup> Gary, *Genghis Cohn*, 243.

<sup>64</sup> *Ibid.*, 244.

This dissertation has argued that failure is an ordinary and constitutive feature of ritual, and that the absence of this claim in ritual studies is an oversight by the literature that pairs ritual theory with speech act theory—specifically Austin’s performatives. I have also suggested that ritual acts are communicated through narratives and that narratives can become ritualized through the ritualized repetition of norms. Narratives are classified as and told through genres, and the genre of a given narrative assists in explaining its meaning. Common narratives of ritual failure are told as tragedies: a deviation from the rules of the ritual is explained as an insult to the ritual system that calls for the system to be appropriately mended. But might ritual acts break the rules *productively*—as I argued was the case in Fackenheim’s Yom Kippur story? Might certain contexts make ritual failure something *good* for ritual life?

This work all bears on Jewish memory in a post-Holocaust world. The regulative standards of Holocaust memory have ritualized tragic narratives, which effectively forecloses other avenues for Jewish memory to travel; I have focused here on comedic ones but there may be others too. So the main problem that this work interrogates is an inattention to 1) failure in ritual and 2) failure in memory. In chapter two, we saw how Fackenheim’s Yom Kippur story participates in a narrative of the Holocaust in which the Holocaust is figured as a total rupture in time, space, thought—*everything*—that develops into a Zionist politics that holds tragedy at the center of Jewish life and thought. But reading the story in a different way leads to a narrative in which the infelicitous ritual is a refusal to give into tragedy’s abyss. And as we saw in chapter three, the virtual witnesses of the Dimensions in Testimony project violate memory in their attempt to secure it, by offering a complete and eternal representation of the survivor. Like Funes

the Memorious who loses the ability to forget and gets caught up in a world of radical particularity, Dimensions in Testimony's technology mistakes memory for a controllable algorithm. But memory is iterative in a way that emphasizes the perlocutionary, much like ritual. It is constituted by forgetting, improvisation, and playfulness. By this I mean: memory is not a machine. The effects of memory are ungovernable, and often defy expectations.

*Genghis Cohn* offers an alternative mode of memory that better represents memory's failures: comedy. Gary's project illuminates the use and abuse of fiction in Holocaust memory. Where Holocaust denialism claims that the events of the Holocaust were fictions themselves, *Genghis Cohn* uses fiction as a vehicle for memory that acknowledges its shortcomings and connects to other forms of Jewish memory, like myth and liturgy. This effort works against other memorial projects, like Dimensions in Testimony, whose seriousness makes for a technologically frozen encounter, imagining only a politically unchanged future. In *Genghis Cohn*, we have an example that interrupts the tradition of high seriousness and sets into motion a comedic counternarrative. Genghis Cohn, however, is more than a figure of Holocaust memory. We can also read him, I think, as a better match for Austin's ordinary failure than Felman's Don Juan. Both Austin and Cohn rely on ritual infelicity to foment their intellectual agendas—that things can be done with words, that our memory must, so to speak, take a joke. And they both carry out their projects with a sincerity that Don Juan seems to lack. However, as I have explained above, Cohn's ritualizing is anything but ordinary. His rituals can only be enacted through the man who killed him. What does it mean for ritual to happen when the world that ritual requires is gone?

Like Fackenheim in *To Mend the World*, Jonathan Lear in *Radical Hope* asks how life and thought can survive catastrophe. Lear asks: "what could it mean for history to exhaust

itself?”<sup>65</sup> “What would it be to be a witness to this breakdown?”<sup>66</sup> “How ought we to live with this possibility of collapse?”<sup>67</sup> But unlike Fackenheim who tethers Jewish survival to the tragic past, Lear explicitly links Crow survival with a possible future. What someone else might see as an empty gesture, radical hope treats as a sign of a possible future. Lear’s project relies on a conception of a hope for a future that transcends the hopers’ understanding because they lack the ability to make sense of the present world in which they hope—a world marked by radical and destructive change. Lear’s project developed out of a striking line in Crow Chief Plenty Coups’s testimony about life after the Crow nation was forced onto a reservation and forms of traditional Crow life were rendered obsolete. Lear comes to Plenty Coups’s line through the written account by Frank B. Linderman, the “Sign-talker” to whom Plenty Coups told his life story. Lear is “haunted” by the fact that Plenty Coups could not talk about anything in his life after traditional Crow concepts, like war and buffalo, no longer made sense because the traditional Crow way of life no longer existed. “But when the buffalo went away the hearts of my people fell to the ground, and they could not lift them up again,” Plenty Coups recounts, “After this nothing happened.”<sup>68</sup> Lear asks what it would mean for this statement to be true. What can it mean to say “nothing happened” when life went on and people did things every day? When one’s cultural norms are destroyed, how can one live a meaningful life?

Lear acknowledges the potential psychological interpretation of Plenty Coups’s claim: that he was depressed, that he found no meaning in his life anymore and that is why he says nothing happened. But Lear quickly dismisses this view, because “there is evidence to suggest

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<sup>65</sup> Lear, *Radical Hope*, 3.

<sup>66</sup> *Ibid.*, 6.

<sup>67</sup> *Ibid.*, 9.

<sup>68</sup> *Ibid.*, 2.

that Plenty Coups was not depressed—and thus we ought to interpret him in some other way.”<sup>69</sup>

Plenty Coups lived a remarkably active life (he took up farming, he made several trips to Washington D.C. to lobby for Crow rights and land, he promoted education, etc.<sup>70</sup>), which suggests he was not melancholic or nihilistic. Lear thus sees a tension between Plenty Coups’s claim that nothing happened after the buffalo went away and the details of his life which suggest that things were happening. What could Plenty Coups have meant? How can we make sense of this tension?

Lear writes that Plenty Coups grew up during a period of radical change for the Crow. The Crow were warring with the Sioux and later allied with the U.S. government, hoping to protect the tribe from destruction at the hands of the Sioux. Plenty Coups was educated as a young warrior in a world in which the possibility of destruction was “familiar” and conceptually intelligible.<sup>71</sup> But this possibility of destruction was always framed within the world that the Crow knew. When their hunting, warring, and nomadic life was taken away, the Crow lost the context that supported their meaningful norms of ordinary life. “When one talks about ‘the world of the Crow,’” Lear writes, “one might mean various things—though in general one is referring to a context of rituals, traditions, ways of living.”<sup>72</sup> A breakdown of the world of the Crow thus signals a breakdown in Crow ritual life: all rituals and customs, Lear writes, were organized toward hunting and war activities.

Although he doesn’t name it as such, Lear’s analysis reveals ritual to be a fundamental category in forging meaning and hope in the face of meaninglessness and hopelessness. He develops the concept of radical hope to explain the kind of hope that emerges when a culture’s

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<sup>69</sup> Ibid., 4.

<sup>70</sup> Ibid., 5.

<sup>71</sup> Ibid., 24.

<sup>72</sup> Ibid.

norms have broken down: radical hope “is directed toward a future goodness that transcends the current ability to understand what it is. Radical hope anticipates a good for which those who have the hope as yet lack the appropriate concepts with which to understand it.”<sup>73</sup> With Lear, I argue that, in circumstances of devastation, ritual can be a mode of radical hope, and its seemingly empty gestures can be filled with promise. On Lear’s account, the Crow don’t only survive, they find ways to continue to live valuable lives often through rituals that have all but lost their meaning, function, or purpose. On my reading, ritual practice is central to this recovery of a possible meaningful future after catastrophe.

A recent essay by philosopher Vincent Colapietro, “Relations, Ruptures, and Rituals,” also finds ritual in Lear, but in a different text: Lear’s *Imagining the End: Mourning and Ethical Life* (2022) and also in Lear’s work on Freud.<sup>74</sup> Colapietro reads Lear as offering a psychoanalytic account of repetition in which repetition is not equated with stuckness or “compulsion” as in Freud. With Lear, Colapietro challenges Freud’s argument that rituals are “dramatic instances... of neurotic compulsion.”<sup>75</sup> Colapietro forwards a more positive notion of repetition to argue that ritual is “a replicable form of indefinite variability serving diverse functions, not least of all to give meaningful shape and worthwhile foci to the fleeting moments of our everyday life.”<sup>76</sup> In excluding *Radical Hope* from his project, however, Colapietro remains squarely in the realm of the ordinary and intelligible, and ritual failure, therefore, does not enter into his reading of Lear. But a focus on ritual in *Radical Hope* asks: what do you do when ordinary life has disappeared? How do you go on when the ordinary is gone and there is

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<sup>73</sup> Ibid., 103.

<sup>74</sup> Vincent M. Colapietro, “Relations, Ruptures, and Rituals,” *The Journal of Speculative Philosophy*, vol. 38, no. 2, pp. 87-106, (2024).

<sup>75</sup> Colapietro, “Relations, Ruptures, and Rituals,” 91.

<sup>76</sup> Ibid., 100.

just the world of the empty gesture? Is ritual even describable as repetition if everything about its conditions and its worldliness is gone?

Hindy Najman takes on these questions from *Radical Hope* in a Jewish studies context.

Najman writes about radical hope in the context of ancient Jewish civilization after the destruction of the Temple. Lear himself made this connection, in the form of a footnote in *Radical Hope* that serves as the basis of Najman's argument. Lear writes:

When I have presented these ideas in lectures, I have regularly been asked about similarities to the Jewish holocaust in World War II. Crow concepts could, I think, have survived their own holocaust. A more relevant analogy therefore seems to be the destruction of the Temple. With that destruction certain traditional forms of orientation—e.g., toward a priestly caste, toward the Temple, toward sacrifice—became impossible. There were no longer viable ways of so orienting oneself. Unlike the Crow, the Jews had their Book; and the rabbis were able to use it to construct a liturgy that would be specifically applicable in conditions of exile and diaspora. In this context, Plenty Coups's decision to tell his story to a white man so that it might be written down and preserved as a traditional story takes on an added significance.<sup>77</sup>

Just as Plenty Coups had to find a radical hope after the devastation of Crow culture, so too, Najman argues, did Ezra after the destruction of the Temple. Ezra, she writes, had to learn how to maintain the covenant in a radically de-contextualized environment. And although Lear suggests that ancient Judaism was advantaged because its traditions were textualized, Najman argues that the destruction of the Temple transformed into “a full-blown trauma. Nothing could happen—nothing of any significance, because the basis of significance had collapsed. Even scripture itself seemed inaccessible, because its meaningfulness was tied so intimately to the continuation of God's covenant with Israel, which was exemplified by God's presence in the Temple.”<sup>78</sup> Any possibility of continuity of Judaism had to appeal to tradition, even when the

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<sup>77</sup> Lear, *Radical Hope*, 163, n. 42.

<sup>78</sup> Hindy Najman, *Losing the Temple and Recovering the Future: An Analysis of 4 Ezra* (Cambridge: Cambridge University Press, 2014), 125.

traditional forms of life were unintelligible. However, ritual is noticeably absent from Najman's engagement with Lear. So in their respective projects, Colapietro misses *Radical Hope*, and Najman misses ritual. But, as I have suggested above, ritual is crucial to Lear's concept of radical hope.

In the book, Lear analyzes two important Crow rituals—planting a coup-stick and the Sun Dance—that were lost with the destruction of Crow culture. Both, importantly, are rituals of war. To plant a coup-stick “was for a warrior to mark a boundary.”<sup>79</sup> If a Crow warrior planted a coup-stick in battle, he declared his readiness to protect that boundary from the enemy at all costs. Lear calls this a paradigmatic act of courage that held both military and symbolic value because it was a tactic of war and also influenced societal organization: “The phrase ‘to count coup’ was used ambiguously to name any of these brave acts [involved in planting a coup-stick] *and* to name a ritual ceremony, after the battle, in which each of the warriors sitting in a circle recounted his coups: he then planted a feather in front of himself, one for each of his coups.”<sup>80</sup> A young warrior who counted coup could incorporate the feathers into his dress and was also permitted to marry a wife of his choosing. But “Counting coups makes sense only in the context of a world of intertribal warfare; and once that world breaks down, *nothing* can count as counting coups.”<sup>81</sup> Lear writes:

One can take what used to be a coup-stick and stick it in the ground—but *nothing* follows from that. And it is utterly unclear what one would be doing. There is no boundary that is being protected; no life is being risked. The Crow's nomadic life is over, and insofar as there is a Crow boundary it is recognized and protected by the U.S. government and the State of Montana. The planting of a coup-stick has ceased to be an intelligible act—in the sense that there are no longer viable ways to do it. The only ways of living forward with it are retrospective: one can remember it, recount its history, dramatize it at a powwow, mourn its loss. But—

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<sup>79</sup> Lear, *Radical Hope*, 13.

<sup>80</sup> Ibid., 15.

<sup>81</sup> Ibid., 31-32.

as things now stand—there is no way to plant it. Without living possibilities, it can no longer function as a coup-stick.<sup>82</sup>

Here, in Austin's terms, Lear is describing ritual infelicity: planting a coup-stick cannot be felicitous because the entire normative context that would make the ritual intelligible is gone. But with Lear, we know that Austin's account is not the end of the story. The post-catastrophic context—which is living in the catastrophe—requests adaptability in ritual practice: if planting a coup-stick is no longer an intelligible act because its conceptual world no longer exists, then planting a coup-stick can only make sense as a form of theatrical or memorial activity. Likewise, Lear interprets any post-catastrophic performance of the Sun Dance as a “nostalgic gesture: an acted-out remembrance of things past.”<sup>83</sup> On this account, after cultural devastation, ritual becomes *only* memorial. But as we will see, this kind of infelicity has a strong perlocutionary (and political) force in its very failure.

The Sun Dance was a military prayer for revenge. What happens to the Sun Dance, Lear asks, when there are no more wars? He writes that “a culture faced with this kind of devastation has three choices:”

1. Keep dancing even though the point of the dance has been lost. The ritual continues, though no one can any longer say what the dance is *for*.
2. Invent a new aim for the dance. The dance continues, but now its purpose is, for example, to facilitate good negotiations with whites, usher good weather for farming, or restore health to a sick relative.
3. Give up the dance. This is an implicit recognition that there is no longer any point in dancing the Sun Dance.<sup>84</sup>

In the case of the Crow, they initially seemed to choose the third option: to give up the dance entirely. But nearly seven decades later, Lear writes that the Crow wanted to bring the Sun

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<sup>82</sup> Ibid., 32-33.

<sup>83</sup> Ibid., 37.

<sup>84</sup> Ibid., 36. Cohn seems to opt for option one in the case of his hora. He dances at untraditional times and in untraditional ways; he lacks the Jewish community that the dance calls for, but he dances *anyway*. Except for Cohn, the hora is also one of his comedic acts, so the dance is not for *nothing*. His hora, then, might better be described by a hybridized account of options one and two.

Dance back into Crow culture, but “the steps of the Crow version no longer existed in living memory.”<sup>85</sup> The Crow leaders sought out teachers from the Shoshone tribe, and the new Crow Sun Dance now incorporated steps from a former enemy tribe. “Is this the maintenance or re-introduction of a tradition—or is it the name of ‘tradition’ being invoked to invent new rituals?” Lear asks.<sup>86</sup> But he leaves the question as posed, and writes that it “is not for me to answer this question: that is and will be the task of Crow poets, of Crow leaders and their followers.”<sup>87</sup> But this question, and the commentary that Lear offers, solidifies the place of ritual—or better, collective contestation about ritual—in a post-catastrophic future.

In the traditional world of the Crow, ritual practices were events through which the Crow made sense of their world. This is why Lear interprets this “peculiar” loss as a *loss of intelligibility*.<sup>88</sup> Traditional acts were now condemned to failure because their context has been radically altered:

Plenty Coups said that after the buffalo went away nothing happened; and we can now begin to see what he might have meant. If planting a coup-stick (or failing to plant it), counting coups (or failing to count coups), and performing a ritual like the Sun Dance (or failing to) were the only things that counted as events, then it would make sense to say that after the buffalo went away things ceased to happen. From the perspective of traditional Crow life—and this is the life in which the concept *counting coups* acquired its meaning—nothing can any longer count as either performing or failing to perform the deed.<sup>89</sup>

With this interpretation, Lear figures ritual as the structure of meaning in Crow life. For Plenty Coups to bear witness to a breakdown in *happenings* is also to name a breakdown in *ritual* activity. On this point, Lear also maintains success and failure as normative criteria in ritual practice: it matters that in traditional Crow life, planting a coup-stick could have gone wrong.

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<sup>85</sup> Ibid., 37.

<sup>86</sup> Ibid., 152. Another version of this question might be: Do rituals need to remain authentic to their origin?

<sup>87</sup> Ibid.

<sup>88</sup> Lear, *Wisdom Won from Illness*, 50.

<sup>89</sup> Lear, *Radical Hope*, 39.

But when the context that the ritual requires is no longer available to the ritualists, the ritual fails in a different way. Where failing to plant a coup-stick once meant “being overrun by the enemy,” planting a coup-stick now *fails to make sense*.<sup>90</sup>

*Radical Hope* is a book, I argue, that develops a theory of ritual failure. Lear writes about ritual practices that are condemned to failure because the world presupposed by the ritual, that the ritual requires, is gone. Ritual can only be an empty gesture with no meaning, or only enacted through a deviation from the ritual system, which we might call improvisation within ritual practice—at play somewhere in between following the script and composing while performing, like the ‘revival’ of the Sun Dance. Yet although this kind of ritual failure is the result of tragedy, Lear’s account—following Plenty Coups’ narrative—does not give in to the tragic situation. Radical hope is a practice in ethical formation after cultural devastation. The ethical question itself—how *ought* we to live with cultural devastation—demonstrates a desire to act on the possibility of a future, even when the future is significantly conditioned by the tragic past. Lear’s account is also performative because the ritual is *doing* something. In this way, Lear’s is another text that finds efficacy in infelicitous acts. What the infelicitous act carries is the promise of the not total failure of a failed ritual. Within this promise is an investment in a possible future.

In chapter two, I argued that a performative reading of Fackenheim’s Yom Kippur story can contribute to a narrative in which ritual failure is a generative source for ethical and political possibilities. The women observed Yom Kippur in a place that was manufactured to be absent of religious meaning or general hope. As Arendt said, the camps produced senselessness.<sup>91</sup>

Fackenheim argues that the moral calculus of good and bad completely transformed in the wake

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<sup>90</sup> Ibid., 34.

<sup>91</sup> Hannah Arendt, “Social Science Techniques and the Study of Concentration Camps,” *Jewish Social Studies*, vol. 12, no. 1, pp. 49-64, (1950).

of the Holocaust. For Lear too, the rubric for moral life has changed. But Fackenheim and Lear represent two different responses to the loss of ordinary life. For Bonnie Honig, Lear's "is an account that, notwithstanding its focus on catastrophe (or, as Lear calls it, 'cultural devastation'), tries to ritualize rather than catastrophize radical change."<sup>92</sup> Where Fackenheim's catastrophizing attaches his thought to the tragic past, Lear's ritualizing propels his thought into the possible future.

Lear—though he doesn't name it as such—provides a typography of ritualists after catastrophe, further emphasizing the centrality of ritual in his text. On Honig's account, Lear offers four types of ritualists in the face of cultural devastation. First is Plenty Coups, the tribe leader who ritualizes and refurnishes the world. His fidelity to hope gave his people a kind of pragmatism: psychological, ritual, and material resources to survive catastrophe. Second is Pretty Shield, the Crow medicine woman who carries on cooking meals for soldiers when the traditional purpose for the act no longer makes sense because the Crow are no longer warring with the Sioux. Trying to live a life she does not understand, Pretty Shield carries on enacting tribal practices that have lost all traditional purpose. But, as Honig writes, the food "may starve or feed us and there is no way of knowing which it will be since that depends, in part, on how we relate to it as an object now and in the future."<sup>93</sup> The third ritualist is Sitting Bull, the Sioux Chief who organizes to build a pan-Indian alliance and supports the performance of a Ghost Dance to usher in the apocalypse. Where Lear dismisses his actions as a "messianic vision" that sidestepped reality for the wish that "the world will be magically transformed," Honig celebrates his political action.<sup>94</sup> And lastly is Wraps His Tail, the young Crow who lives as if the old way of

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<sup>92</sup> Bonnie Honig, *Public Things: Democracy in Disrepair* (New York: Fordham University Press, 2017), 63.

<sup>93</sup> Honig, *Public Things*, 70.

<sup>94</sup> Lear, *Radical Hope*, 150.

Crow life is still alive. He led an effort to get revenge and count coups against a rival tribe that had stolen Crow horses. But in this new world, his act of war was charged as a crime rather than lauded as courageous, and Wraps His Tail was shot and killed by another Crow who worked for the Crow Agency. For Honig, Wraps His Tail's actions resist a total loss of the traditional world. Together, these ritualists participate in a narrative of resilience in a catastrophic, but crucially not hopeless, environment. Radical hope, Honig writes, "is what allows the Crow to go on in some 'Crow' way even after the ways of the Crow have been destroyed and their public things are gone: there are no more buffalo to hunt, no rival tribes to fight, no room to roam, no coups to count."<sup>95</sup>

On my reading, radical hope is essentially related to an embrace of ritual failure as a way to show fidelity to ritual when it cannot but fail *and* it is a way to commit to some kind of possibility in the future. Where a refusal to adapt may seem to result in an empty gesture, Lear insists that an empty gesture can be read as—and can be—a hopeful refusal of tragedy's abyss. Failed rituals *do something*, Lear says. Drawing on a performative theory of ritual to understand radical hope shows us how the performativity of a failed ritual is not just a failure, but is a placeholder for a possible future. This is precisely what Lear can be taken to illustrate. In the next section, I read Genghis Cohn as another type of ritualist after catastrophe—one who nominates comedy as a legitimate hopeful response to hopelessness after the Holocaust. This reading reveals the ethical *and* the political stakes of Genghis Cohn's radical hope.

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<sup>95</sup> Honig, *Public Things*, 66.

In *Genghis Cohn*, Gary writes a pretty radical iteration of the dybbuk trope. The dybbuk was born out of the sixteenth century mystic Isaac Luria's teachings on *gilgul*—the transmutation of souls.<sup>96</sup> A dybbuk is a soul that cannot move on in its quest toward perfection, since it is trapped in the realm in between life and death. Dybbuks possess a host body—a person to and through whom they can speak. If unwilling to leave, as most are, the dybbuk must be exorcised. Dybbuk narratives traditionally share some common features. Jeremy Dauber writes, “The dybbuk is the tortured spirit of a (usually male) sinner who is forced to wander the world in his in-between state... The spirit takes refuge or ‘possesses’ a body, usually a woman, who then begins to speak in the dead person’s voice—to talk, mock, curse, or accuse observers.”<sup>97</sup> In the early 1910s, S. An-sky adapted the legend into a play, *The Dybbuk*, which brought and cemented the dybbuk into the diasporic Jewish cultural imagination.<sup>98</sup> An-sky's adaptation concerns two lovers, Leah and Khonen, who have been promised to each other by their fathers. After Leah's father breaks his promise (hello Don Juan!) and arranges instead a marriage with a wealthy man, and after Khonen is killed trying to win her back, Khonen becomes a dybbuk and takes possession of Leah's body. He is exorcised but that doesn't free Leah for marriage on earth. She kills herself to be reunited with her lover in death. The Vilna Troupe staged the first theatrical production in Warsaw in 1920, and the play has since been adapted into various languages and

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<sup>96</sup> Of note is that the last work that Yerushalmi published before he died was a work of fiction—a short story in *The New Yorker* that he titled *Gilgul*.

<sup>97</sup> Jeremy Dauber, “Demons, Golems, and Dybbuks: Monsters of the Jewish Imagination,” in *Let's Talk About It: Jewish Literature* (Nextbook, 2004), 2. Mocking, cursing, and accusing are all speech acts.

<sup>98</sup> For more on the impact and relevance of An-sky's play, see Debra Caplan and Rachel Merrill Moss, *The Dybbuk Century: The Jewish Play that Possessed the World* (Ann Arbor, MI: University of Michigan Press, 2023). Caplan and Moss write, “An-sky saw the play as his greatest masterpiece and was desperate to get it produced, in any language, but it was widely considered unstageable—until an ambitious group of young theater rebels decided to produce it in their own experimental style after the playwright's untimely death.” *Ibid.*, 2.

cultural contexts.<sup>99</sup> So already with the figure of the dybbuk, we are working with a case of ritual not doing what it was supposed to do—a broken promise and, as in Greek tragedy, a marriage to death—but something is still happening as a result of the failure of the act. In performative terms, we may say that the dybbuk is the unruly perlocution of an infelicitous act.<sup>100</sup>

In *Genghis Cohn*, however, the dybbuk is not a sinner who possesses an innocent woman, but a murdered Jew who possesses a Nazi. Typical and tragic dybbuk narratives, like An-sky's play, end in a successful exorcism. The exorcism is the fix to the tragedy of the damaged soul. Some stories portray dybbuks as souls who have unfinished business in this world, like An-sky's Khonen, who refuses to leave the world of the living without his love. In *Genghis Cohn*, however, there is no exorcism, and no resolution in the end! Even though Gary attempts to get rid of Cohn, the writer sabotages his own efforts, and his request for a new character—"Next, please!"<sup>101</sup>—quickly turns into "Tell me where you'll turn up next, Cohn."<sup>102</sup> And so Genghis Cohn lives on. In Gary's subsequent novel, *The Guilty Head*, Cohn travels to Tahiti, because Jesus, in the Forest of Geist, had told him that it's an "earthly paradise"<sup>103</sup> and also the comedian is in need of "a fresh audience."<sup>104</sup> Gary and his dybbuk share this need for new material: when Lily sees him unconscious on Nalewki Street, she asks, "What's he doing, lying there next to a sewer?" Floran responds, "He's seeking inspiration, peach."<sup>105</sup> Gary dedicated *The Guilty Head*, and thus the afterlives of Genghis Cohn, to the memory of Lenny Bruce: the standup

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<sup>99</sup> I most recently saw a production staged by the Arlekin Players at the Vilna Shul in Boston in November 2025.

<sup>100</sup> Recall that in the previous chapter, I argued that the perlocutionary is ungovernable, in contrast with the locutionary and illocutionary, which are governed by the context of the performative. This argument builds on Stanley Cavell's observation that Austin never applies his doctrine of infelicity to the perlocutionary: "Austin does not go on to attempt to define felicity for the perlocutionary." Stanley Cavell, "Forward" in Felman, *The Scandal of the Speaking Body*, xix.

<sup>101</sup> Gary, *Genghis Cohn*, 235.

<sup>102</sup> Ibid., 242.

<sup>103</sup> Ibid., 217.

<sup>104</sup> Ibid., 242.

<sup>105</sup> Ibid., 238.

comedian who would perform, knowing that the words he would say would get him in trouble, and say them anyway. Perhaps Bruce has returned as a dybbuk as well, haunting our courtrooms, comedy clubs, and obscenities to this day.<sup>106</sup>

Sidra DeKoven Ezrahi's essay "After Such Knowledge, What Laughter?" pieces together a Jewish comic tradition. DeKoven Ezrahi is interested, following Yerushalmi, on "the shapes of Jewish memory" that rely "less on chronicles and more on rituals and narratives and poetic retellings."<sup>107</sup> Comedy is one such shape of Jewish memory. For DeKoven Ezrahi, "[w]hat is at stake in the reinstatement of laughter '*nach Auschwitz*,' *after* Auschwitz, is not the fidelity of a comic representation of the Shoah but the reinstatement of the comic as building block of a post-Shoah universe."<sup>108</sup> Like *Laughter After*, DeKoven Ezrahi presents Holocaust humor as a project engaged in memorial and political work. Comic response to catastrophe has deep roots in the rabbinic tradition, she explains, citing midrashic texts that document the rabbis' laughter after the destruction of the second Temple (a practice that Najman doesn't take up in her account of radical hope). DeKoven Ezrahi reveals a strong Jewish commitment to the comic that travels from the Bible to Hollywood "in which the promised happy ending is always deferred—and in the deferral is the invitation for imaginative reinterpretations and retellings."<sup>109</sup> The comic comes into being, she argues, through the deferral of the messianic promise of resolution. Here, DeKoven Ezrahi provides an account of Jewish comic memory as essentially *provisional*, as a kind of storytelling that operates *in the meantime*. She locates the comic and the messianic in the realm of unfinished business, where dybbuks are found ventriloquizing innocent souls or

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<sup>106</sup> The lede of an article in the LA Times, published shortly after Bruce died, reads: "He's been dead and buried three weeks, but last Sunday he came back to haunt them." Leonard Greenwood, "Lenny Bruce: Enigmatic in Death, as in Life," *Los Angeles Times*, August 28, 1966.

<sup>107</sup> Sidra DeKoven Ezrahi, "After Such Knowledge, What Laughter?," in *The Yale Journal of Criticism*, vol. 14, no. 1 (2001), 288.

<sup>108</sup> DeKoven Ezrahi, "After Such Knowledge," 287.

<sup>109</sup> *Ibid.*, 291.

otherwise, in at least one case, teaching Nazis Jewish recipes and prayers. In this sense, Gary writes his dybbuk exactly where he belongs.

But Genghis Cohn is not only a post-catastrophic ritualist; we can also read him as a radical hoper. This is another way to read the women who observed Yom Kippur in chapter two: anyone who observed Yom Kippur in Auschwitz had to have something like radical hope. Through the ritual observance, the women demonstrated a courageous faith in the world and refused to accept the nihilism of the camp. It is almost like Gary knew Fackenheim's Yom Kippur story and wrote ritual into Cohn's and Schatz's relationship. The absurd idea that a Nazi observes the Sabbath every week in secret is an extreme iteration of a failed ritual, but it underscores Cohn's fidelity to ritual that cannot but fail. Like the women in Fackenheim's story, Cohn lacks the world that ritual requires but he does it anyway. In this context, a ritual transgression is a manifestation of radical hope. Where one of the women in Auschwitz reported disappointment, Cohn takes pleasure in the holidays he observes with Schatz. It might be the case, then, that this dybbuk's unfinished business is ritual.

One claim of *Genghis Cohn* is that there is room for the comic in radical hope. There is an example of a comic element in Lear, and it is importantly linked to ritual practice. Lear writes about the role of the "joking-relative" in Crow cultural training. In order to teach the community's values of shame and honor, "it was typical for a person from one's father's clan to be assigned as one's personal joker."<sup>110</sup> Through public performances of ridicule and humor, the joking-relatives functioned to teach a young Crow how to self-regulate their actions and behaviors. Here, the comic is pedagogical, a form of education that upholds and regulates the culture's norms and appropriate conduct within them. It marks a boundary of the permissible,

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<sup>110</sup> Lear, *Radical Hope*, 84.

like a coup-stick directed at friends, however, not enemies. This point is not to overdetermine the presence of the comic in Lear's concept of radical hope. But it is to say that there is a place for the comic already in it. In other words, Lear's radical hope does not foreclose the comic (although it is not clear, on Lear's account, if the joking-relative tradition continued, adapted, or ceased). But neither does he take up the comic. It is by reading Lear and Gary together that we can see the promise of Cohn's comedy to be a promise about *the future*: offering something that's not quite regulatory (it can't be) but neither is it detached from reality (that is its commitment).

When DeKoven Ezrahi claims that the comic is a building block after Auschwitz, she forwards a comic orientation that, read in the context of this chapter, can also be understood as a kind of radical hope, in the sense that it is future oriented, in anticipation of a good that transcends our ability to understand what it is. In this way, I read DeKoven Ezrahi's position as a political one. It is concerned with collective world-making in the rubble of a ruined world. As Honig has pointed out, *Radical Hope* is an expressly ethical, rather than a political, text. The subtitle is: *Ethics in the Face of Cultural Devastation*. But when we pay attention to the performative work of ritual failure, we can draw out the political stakes of radical hope. Honig's account does this, for example, when she narrates Pretty Shield's cooking for nobody as an act that carries promise of renewal: "Cooking, once an emptied ritual, is reborn as political practice."<sup>111</sup> This interpretation is also in keeping with Molly Farneth's thesis in *The Politics of Ritual*: that ritual practices are political, in part, because they create and maintain communities. But with Lear's radical hope and Gary's comedic memory, we can summon a post-ordinary

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<sup>111</sup> Honig, *Public Things*, 69-70.

political account of ritual failure in which ritual practice conjures both the lost world and the world that is hoped for.

We might approach the distinction between the ethical and political as a kind of genre question. In this sense, ethics and politics may be two modes of emplotment. This is to suggest that the story Lear tells can be explained in various ways. He frames *Radical Hope* as an ethical project because he is concerned with “the field of possibilities in which all human endeavors gain meaning.” It is an inquiry “into how one should live in relation to a peculiar human possibility.”<sup>112</sup> Ordinary ethical inquiries are made within a field of normative possibility. But Lear asks, what happens after the impossible occurs? What ethical system is available when the field of possibility breaks down? With the breakdown in the ethical system comes a breakdown in any meaningful distinction between good and bad, felicitous and infelicitous. This is why Fackenheim’s argument can be read to suggest that the anti-world has turned our moral calculus on its head; there is no sense in judging felicity in Auschwitz. Yet, as I have been trying to show, a performative reading of a crisis of intelligibility asks us to pay attention to ritual failure in a new way, and this is where I see a political orientation start to emerge.

What is at stake is *not* the technicalities of ritual performance: as we have seen, even though all ritual performance is in some sense a variation on what came before, it matters that rituals often succeed and that ritualists expect them to. Successful ritual practice serves as a form of education for group members: both ethical, in the sense of individual self-formation, and political, in the sense of group maintenance and creation. What *is* at stake here, in theorizing ritual failure in a broken world, is the ritual context. In Lear’s case, Honig writes, the “old rituals for dealing with rupture or loss no longer work, and people must figure out how to deal with the

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<sup>112</sup> Lear, *Radical Hope*, 7.

loss of loss, as it were, and—I might add—how to respond politically to the loss of public things.”<sup>113</sup> The loss of a world is a kind of political loss that calls for a political response. Ritual, I suggest, is one such form of response.

Cohn’s unfinished business is precisely the unfinishable rituals that look like futile or nostalgic gestures of a lost world, but that carry the provisional promise of a not yet determined future. This is like the promise of the performative and why the doctrine of infelicity cannot apply to the perlocutionary: we can never know exactly what effects our words and deeds will have on the world. But this indeterminacy is necessary for saying and doing anything at all. The uncertainty of felicity drives performative utterances, and the ungovernability of the perlocutionary means, to quote Butler, “that speech is always in some ways out of our control.”<sup>114</sup> In this way, every performative act and declaration is necessarily provisional—and possibly futile. The nihilistic view, then, resolves to inaction because it constrains outcome to the rules that it always exceeds (it constates the performative?). But the hopeful view finds promise in the ungovernable aspects of speech and action. On this account, because, as I have argued, infelicitous acts can still be efficacious in some way, we see how failed performatives can also offer an orientation to a possible future.

Genghis Cohn’s ritualizing takes place in a post-ordinary world, in which the norms that once gave his life meaning are no longer available to him. But he chooses to tell jokes *anyway* and to keep Jewish customs *anyway*, because, like Pretty Shield who continues to cook for Crow warriors, he is trying to live in a world that he doesn’t understand. But unlike Pretty Shield, he finds (and makes) humor in the mismatch between what is doable and the time and space in which things are done.

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<sup>113</sup> Honig, *Public Things*, 62.

<sup>114</sup> Judith Butler, *Excitable Speech*, (New York, NY: Routledge, 2021), 15.

Throughout the novel, Cohn reveals a particular brand of messianism that can help to explain, I think, his joking and his ritualizing. In a confrontation with Florian in the Forest of Geist, Cohn says, “Even if tradition were observed, even if ten Jews famous for their piety surrounded me and prayed according to all the rules of our holy Torah, I would still refuse to disappear.”<sup>115</sup> Here, Cohn suggests that in this context, even (especially?) a ritual done right—following all the rules in the Torah—would fail. The dybbuk threatens Death, raising the stakes of his exorcism to messianic proportions: “If they really want to exorcise me, they’ve only got to do what they have never yet done: *create the world*. I’m not saying create a new world: I say, *create the world*. It will indeed be for the first time.”<sup>116</sup>

Lear, as I have shown above in the case of Sitting Bull, is critical of messianism and works to distinguish radical hope from messianic promise: he says that mistaking reality for a wish is “a danger for all forms of messianic religions.”<sup>117</sup> But Genghis Cohn’s messianism, coupled with his comedy, looks a lot like radical hope to me, and Lear’s radical hope reads like a secularized form of messianism. In both accounts, ritual acts are oriented toward a world-to-come that is unintelligible because the ritual actors lack the conceptual frames to make sense of it.<sup>118</sup> Further, DeKoven Ezrahi locates both the comic and the messianic promise in the realm of unfinished business, where I have suggested that Cohn’s ritualizing takes place. On this reading, “*Kush mir in tokhes*” and “one day the world will be created” are both small acts of radical hope that refuse to accept the terms of tragedy.

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<sup>115</sup> Gary, *Genghis Cohn*, 150.

<sup>116</sup> Ibid.

<sup>117</sup> Lear, *Radical Hope*, 151.

<sup>118</sup> Similarly to Sitting Bull’s Ghost Dance, there is a sense of apocalypticism in Cohn’s messianism, too, although his messianic dream is always articulated through calls for creation rather than destruction. Drawing on Gershom Scholem’s messianism, Paul Nahme describes how, in messianic apocalypticism, “the future to which such an eschatology attaches itself remains unknowable by definition.” Paul E. Nahme, *Ghost People: Race, Religion, and the Affective Sources of Jewish Identity* (New York: NY, Oxford University Press, 2024), 167.

In titling the introduction to their volume: “To Tell Jokes After Auschwitz Is Barbaric, Isn’t It?,” *Laughter After*’s editors cite Adorno’s famous maxim that to write poetry after the Holocaust is barbaric. But here, like Des Pres, like DeKoven Ezrahi, *Laughter After* presents Holocaust humor *as a question*. While these projects do valorize comedy as an important mode of representation, they all begin from the premise that comedy requires something like permission or at least discussion prior to its enactments. So I wonder how this framing of Holocaust humor might be different had these projects included *Genghis Cohn* (or, had taken it *seriously*), because Gary has his dybbuk telling jokes *in* Auschwitz: “In Auschwitz, one day, I told a fellow inmate such a funny joke that he literally died laughing. He was undoubtedly the only Jew who ever died laughing in Auschwitz. The German guards were furious.”<sup>119</sup> This joke figures laughter as an expression of resistant freedom. It appropriates the expression “to die of laughter” to communicate the absurdity of the event, and it also communicates realities of the event: the Nazi desire for total control and the small acts of Jewish resistance to a totalitarian regime. But more, this joke makes clear that, for Gary, Holocaust humor was never a question. It is a necessary act of storytelling that challenges what and how we come to know.

I have found, as it turns out, something serious in a novel that mounts itself against the demands of seriousness. Gary’s comedic Holocaust memory project offers an absurd narrative of ritual failure as a way to counter the emotionalism of the political world in which it was staged. Genghis Cohn’s rituals may look like futile attempts to get revenge or nostalgic visions of a lost world. But his Sabbath and his hora, as I have argued, participate in a radical hope for a new world. These acts are constitutively different from the empty gestures of Funes the Memorious and the virtual witnesses of chapter three. Where Funes and the virtual witnesses enact empty

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<sup>119</sup> Gary, *Genghis Cohn*, 4.

gestures that are stuck in a repetitive cycle of the traumatic past, Cohn's empty gestures lay the foundation for a future in which the world that was lost might one day return—for the first time.

## CODA

In what could be read as a tribute to Genghis Cohn, there is a photograph of Lenny Bruce in a courtroom with his pants pulled down—his bare ass facing the camera and his eyes on the judge and officer standing next to him. Toward the end of his career, it was nearly as common to see Bruce in a courtroom as it was to see him in a comedy club. He was arrested on obscenity charges multiple times, which led to long and expensive trials that bankrupted and consumed him. They also changed his comedy. He took to reading the trial transcripts on stage in front of audiences who likely expected a stand-up performance. In offering up the transcript from his trial in place of a joke, Bruce both attempts to deliberately fail to tell a joke *and* he re-emplots the court by poking fun at it.

Bruce included this Cohn-like photo in his autobiography, *How to Talk Dirty and Influence People*, which can be read as a comedic citation of J. L. Austin's *How to Do Things With Words*. Indeed, Kenneth Tynan called Bruce "a disease of America," perhaps figuring the comedian as a personification of Austin's infelicity.<sup>1</sup> Bruce's caption under the courtroom snapshot reads: "I forget who the other two guys are, but that's not Shirley Temple on your right [Bruce is on the right]. For years I dreamed of a situation like this, but I finally had to set up my own cop and judge. P.S. I was acquitted."<sup>2</sup> Yet we can imagine that the caption also could have been, in Cohn's words: "I have never made any claim to greatness and, besides, I'm quite

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<sup>1</sup> Kenneth Tynan, "Original Forward" in Lenny Bruce, *How to Talk Dirty and Influence People* (New York, NY: Hachette Books, 2016), ix.

<sup>2</sup> Bruce, *How to Talk Dirty and Influence People*.

pleased with my effort and only hope that my message will go down to posterity and that I will have thus contributed a little something to our spiritual heritage.”<sup>3</sup>

Romain Gary, as I mentioned in chapter four, dedicated the sequel to *Genghis Cohn* to the memory of Lenny Bruce, effectively creating a posthumous kinship between the dybbuk and the comic. It is important, as well, that Gary’s dedication is not to Bruce himself, but to his memory which attends to Bruce’s contributions to “our spiritual heritage.” *Genghis Cohn* is a novel engaged in a kind of memory work that trades in the criteria of veracity for a fidelity to unfinished business and hope for uncertain futures. Cohn’s ritualizing re-emplots tragedy as comedy. He simultaneously ensures that the tradition of Jewish comedic refusal lives on and that the tradition of high seriousness is interrupted. Where his context requires his ritualizing to adapt (to an extreme), his intent to ritualize holds fast.

For Bruce, obscenity is above all something that is done with words. The drama of his obscenity trials reveal the courtroom as the site of comedy, and the comedic situation as the site of litigation. As the previous chapter lays out, many argue that comedic representations of the Holocaust are obscene (perhaps this is why *The Dance of Genghis Cohn* has been so unpopular!). Obscenity, in this context, is a profanation of the sacred rules of Holocaust representation that have established an etiquette that invites some but forecloses other modes of response. Yet obscenity has another salient meaning in the context of Bruce’s trials. Obscenity is also, in Freud’s terms, a joke technique. For Freud, an obscene joke functions to expose something that has been repressed: the release of the serious through the playful.<sup>4</sup> So obscenity may be waged as an accusation for improper or inappropriate representation or language, and it also can be used as

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<sup>3</sup> Romain Gary, *The Dance of Genghis Cohn* (Cleveland, OH: The New American Library, 1968), 23.

<sup>4</sup> Sigmund Freud, *Jokes and Their Relation to the Unconscious*, trans. and ed. by James Strachey, (New York, NY: W. W. Norton and Company, 1989), 115.

a method for exposing a norm by deviating from it. The figure of the comic—of Lenny Bruce—undergoes both perlocutions of obscenity: the accusation and the method.

This dissertation has endeavored to find out what happens to ritual when we toast to failure. I argued that failure is a constitutive and ordinary feature of ritual. Where ritual studies has demonstrated an investment in good or successful performativity, I by contrast think of failure as itself promising. Like Cohn's ritualizing that participates in the creation of the world, Bruce's obscenities performatively unmask the failure of the law to recognize comedy as comedy and they inaugurate a new kind of comedy that became ritualized by the secondary and tertiary players who do comedy in Bruce's style.<sup>5</sup>

The first chapter offered a re-reading of Austin that brings a focus on genre into ritual studies' uptake of performativity. Many readings of Austin overdetermine the trivial and the tragic in infelicity, which obscures other emplotments available already within the text. Taking Austin's humor seriously offers a view of infelicity that imbues failed acts with perlocutionary potential. A performative that violates any number of Austin's felicity criteria is not void of meaning or real consequence. In chapter two, I worked precisely with an example of an infelicitous act that was still efficacious. For Emil Fackenheim, the Yom Kippur observance that took place on the wrong day "necessitates a change in *our own*."<sup>6</sup> But his narration of the story participates in a tragic politics that cannot imagine a world that is not fully determined by the tragic past. I offered an alternative narrative in which the miraculous Yom Kippur observance is a refusal to be consigned to tragedy's abyss. In chapter three, I drew an analogy between the USC Shoah Foundation's Dimensions in Testimony project and Borges' tragic character from his

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<sup>5</sup> I have in mind George Carlin and Richard Pryor, but there is also a sense in which—at least in an American stand-up context, though perhaps even globally—there was comedy before Lenny Bruce and comedy after Lenny Bruce.

<sup>6</sup> Emil Fackenheim, *To Mend the World: Foundations of Post-Holocaust Jewish Thought* (Bloomington, IN: Indiana University Press, 1982), 322.

*Funes the Memorious*. The virtual witnesses that cannot apologize or tell jokes mistake memory for a controllable algorithm and override the possibility of infelicity for pre-determined scripts. In chapter four, I paired *Genghis Cohn* with Jonathan Lear's *Radical Hope* to theorize ritual failure in extraordinary circumstances. This chapter offered a fictional and comedic custodian of Jewish memory in the character of Gary's dybbuk. Cohn's ritualizing is an act of radical hope that orients post-Holocaust Jewish memory toward the future.

To recapitulate the project's contributions: 1) Failure is a constitutive and ordinary feature of ritual. Austin's performativity provides the tools to theorize ritual failure, yet this work has not been carried out in ritual studies, even as the field seeks to understand ritual performatively. 2) Genre is key to this work because ritual acts are narrated to us and judgment about the success of an act is rendered after the fact in the form of a narrative account. Different genres represent different possible modes of explanation available to a given narrative. 3) My focus on genre then makes way for a re-reading of Austin in which the trivial and the tragic are not overdetermined as an emplotted pair, but are conceptualized as two of many ways to emplot ritual—felicitous or not. 4) Lastly, I ask ritual studies to consider ritual failure in extraordinary contexts. For this work, we have to look beyond Austin (but still *with* Austin) and toward an account like Jonathan Lear's in *Radical Hope* (which I read as a performative account). When a ritual is infelicitous because the context that it requires is destroyed, the ritual may carry a provisional promise of a not yet determined future through its very infelicity.

This dissertation began with the producers' toast to failure, made when they imagined themselves at the height of their success and demystified soon after when theatergoers rushed into the bar ecstatically praising the musical's genius. And the dissertation now concludes with Lenny Bruce's relentless use of obscenity, which is both the reason he is remembered and the

reason for his failure. Bruce's use of obscenities in his comedic performances and the arrests that followed became incorporated into his comedic act, such that, for Bruce, any separation between the comic and the law broke down. An arrest would mark both the end of *this* performance and contextualize the *next* one. In this way, Bruce's dance of performance-arrest invited the law into his comedy: each obscenity invoked the law by breaking with it.

Lenny Bruce takes us to a unique intersection of law and comedy, which happens to be a very Jewish place to end up. Elliott Oring wrote in 1983 that "Those who for millennia were characterized as 'The People of the Book' may now be characterized without excessive exaggeration as 'The People of the Joke.'"<sup>7</sup> Following these twin characterizations, Oring describes his object of study—Jewish humor—as both a literature and a behavior, perhaps exemplified by the fact that many Jewish jokes are about Jews telling jokes. For example, he cites the following punchline from Immanuel Olsvanger: "But when you tell a Jew a joke, he tells you that he's heard it already—and, besides, you're telling it all wrong."<sup>8</sup>

This was a criticism that Bruce waged against the court. In one of his last performances, while clutching the printed out transcript from his trial in one hand and the microphone in the other, Bruce told his audience:

I figured out after four years why I got arrested so many times. It's been a comedy of errors. Here's how it happened. I do my act at perhaps, uh, 11 o'clock at night. Little do I know that at 11 a.m. the next morning before the grand jury somewhere is another guy who's doing my act who's introduced as Lenny Bruce in substance... A peace officer who is trained to recognize clear and present dangers, not make-believe, does the act. The jury watches him work and they go "That stinks!" But I get busted! And the irony is that I have to go to court and defend his act!<sup>9</sup>

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<sup>7</sup> Elliott Oring, "The People of the Joke: On the Conceptualization of a Jewish Humor," *Western Folklore*, vol. 42, no. 4, (1983), 261.

<sup>8</sup> Olsvanger quoted in Oring, "The People of the Joke," 262.

<sup>9</sup> *The Lenny Bruce Performance Film*, directed by John Magnuson (1965).

Bruce laments the poor performance of the officer who is tasked with reading his jokes as evidence in the obscenity trial. Of course the jokes fail in the courtroom, Bruce says, they're not supposed to be there.

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