

HANNEVA SER

A Student Publication of
Traditional Thoughts and Ideas
Published by the Jewish Studies
Divisions of Yeshiva University

Vol. 27 No. 3

Year 5748, May 1988

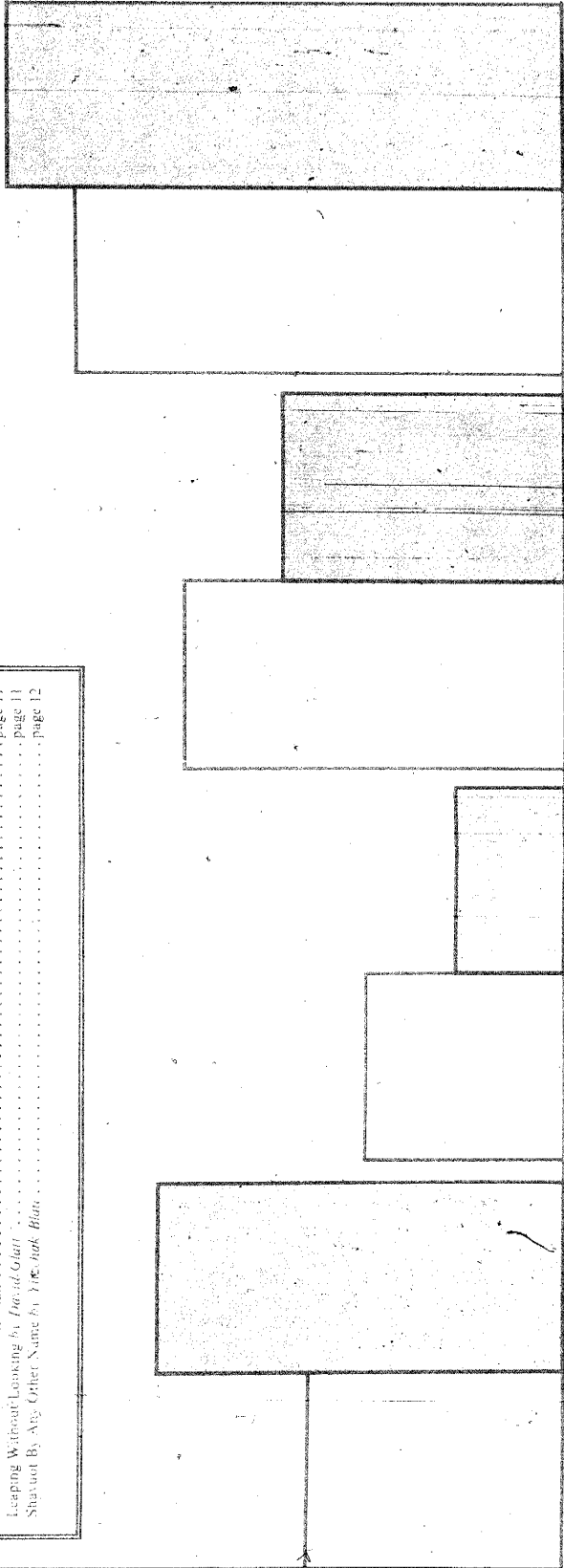
The Changing Faith of Yeshiva by Howard Sogren	page 3
Faith and Faithful by Moshe Feldman	page 4
The Pool of Faith by Hudi Naiman	page 5
Who Is a Jew: The Rhetoric of Religion by Jonathan Reiss	page 6
Confronting Modernity: The Philosophy of Isaac Breuer by Kenneth Waxman	page 7
Passion Vs. Purification by Yehuda Galinsky	page 8
Creativity and Avodat Hashem by Robert Klapper	page 9
Kot D'Mer-Achikha by David Dehon	page 10
Talmud Torah by Beth Zuckerman	page 11
Keeping Waitour: Learning by Isaac Galat	page 11
Shavut By Any Other Name by Yitzhak Blatt	page 12



100%

50%

0%



EDITORIALS

The Guidance Gap: Uptown...

The results of Hamevaser's recent questionnaire reveal a widespread student desire for more spiritual direction in YU. Among students who responded to the survey, above fifty percent expressed a strong wish to receive more spiritual guidance from qualified advisors in our Yeshiva. Clearly, improvement is necessary in this vital area. A primary function of a Yeshiva is facilitation and fostering of the spiritual growth of *b'nei hayeshiva*. The *Roshei Yeshiva*, who embody the spiritual atmosphere of our institution, must enable their students to grow and gain from their insight and instruction. Many students, in all divisions of our yeshiva, would like to consult with their *Rebbeim* concerning personal matters but feel too estranged from their spiritual leaders to actively seek their advice. A number of *Rebbeim* are simply not physically accessible, and those available often do not approach their more reticent *talmidim*. Also, many *talmidim* feel uncomfortably chilled in a Yeshiva increasingly divided along shiur lines and yearn for an environment of greater cohesion, cooperation and warmth. It is time to create closer *Rebbe-Talmid* relationships and engender in students a feeling of kinship

with all *rebbeim* in Yeshiva regardless of shiur or division. Recently, Yeshiva did try to implement a night-seder schedule which required different *Rebbeim* to be available to *talmidim* in the Beit HaMidrash each night. The program was well received by the student body, affording *talmidim* greater access to their spiritual mentors, but unfortunately has since petered out. We urge Yeshiva to resuscitate it. *Rebbeim* cannot have a significant impact upon their students if they never see them outside the shiur room. Furthermore, we feel that it is essential that *Rebbeim* establish a one-to-one relationship with each of their *talmidim*. We suggest that *rebbeim* meet with each new *talmid* in his shiur to furnish him with the self-confidence necessary to pursue a meaningful relationship. *Rebbeim* should also meet with each of their students at least once a semester. Finally, we feel the yeshiva should institute bi-weekly *sichot*, to be delivered by *roshei yeshiva* from our three divisions, in the main *beit hamidrash*. Such *sichot* will serve to unite the *b'nei hayeshiva*, expose *talmidim* to *Rebbeim* other than their own, and offer them an important regular dose of the structured spiritual direction they ask for.

...And Downtown

Over the past five years the Jewish Studies department at Stern has grown and developed. The CORE program insures an equal balance of Judaica, Jewish history and Bible. Our survey reflects an unfortunate student need for spiritual leadership. The current spiritual leadership at Stern interacts with a limited element of the student population. Many students are lost, unable to interact with their religious advisors. This void demands action by the spiritual leaders of our university, the *Roshei Yeshiva*. They can infuse the student body at Stern with their drive for learning and Jewish life. A program of *sichot* and *shiurim* would prove a fine start on this necessary endeavor.

While striving for future improvement we cannot neglect past accomplishments. Many professors at Stern are encouraged by the administration to teach only in Y.C. Recently, Rabbi Kanarfogel the head of the Judaic studies department and the man

responsible for implementing the recent improvements was pressured to leave Stern and displace members of the uptown staff. The administration assumed that Rabbi Kanarfogel had no attachment to the program he spent years developing, that he would have no misgivings about leaving for a promotion uptown. He chose to remain. This occurrence is symptomatic of Yeshiva University's view of Stern as a training ground for aspiring or promising professors: Yeshiva University thus perpetuates a disease affecting a large percentage of Modern Orthodox women. Many Stern graduates lack basic learning skills and any motivation to continue their Judaic studies. While taking an active role in the professional world, they are passive in the spiritual realm. By concentrating on upgrading academic standards and filling spiritual needs at Stern, Yeshiva University insures the future of American Jewry.

Flagging Concern

Three flags hang outside Tenzer Gardens, those of the United States, New York, and Yeshiva. Israel's is conspicuously missing.

Unfortunately, the absence of Israel's national symbol at Yeshiva symbolizes an absence of concern on the part of the student body as well as administration. Yeshiva's students and administration must be more vocal in support of Israel, especially during the current crisis. The media and public officials should be made to realize that the depth of our commitment to Israel is unchanged and unchangeable.

HAMEVASER

500 West 185th Street, New York, N.Y. 10033

The views of signed articles are those of the individual authors and do not necessarily reflect the opinions of HAMEVASER or Yeshiva University. Editorial policy is determined by a majority vote of the members of the Governing Board. Subscription rate: \$7.50 per year. All material herein copyright HAMEVASER 1988.

ROBERT KLAPPER
editor-in-chief

JONATHAN REISS
executive editor

GOVERNING BOARD

YITZCHAK BLAU
MOSHE FEINTUCH
YEHUDA GALINSKY
DAVID GLATT
SETH KADISH

HINDY NAJMAN
MOSHE RAYMAN
FRED SCHWARTZ
HOWARD SRAGOW
JERRY ZEITCHIK

STAFF

JEREMY WIEDER
SHALOM BAUM
DONNY COHEN
NEAL LEHRMAN

KENNETH WAXMAN
BETH ZUCKERMAN
DAVID DEBOW
LARRY TEITELMAN

AZRIEL COHEN
art editor

DANNY MANN
editor emeritus

Letters to the Editor

On Chag

Dear Editor,

Yeshiva University claims to be an integral part of the Orthodox community. Yet YU chose to ignore the day designated by the *Rabbanut Ha-Rashit* as *Yom Ha'atzmaut* and instead celebrated *Yom Ha'atzmaut* the following day. The *Rabbanut Ha-Rashit* decided during the 1950's that when *chag* falls on *Shabbat* or on *erev Shabbat* it should be celebrated on the preceding Thursday. This *pesak* has been consistently accepted by Jewry, religious and non-religious, in Israel and *chutz la-aretz* (except, of course, for those who do not celebrate *Yom Ha'atzmaut* at all), and has been enacted into law by the Knesset. Israel's *Rabbanut Ha-Rashit* should have exclusive jurisdiction in this area. At issue is the date of celebration marking Israel's independence, and Jews in the Diaspora ought to follow Israel's decision in this matter.

The *pesak* of the *Rabbanut Ha-Rashit* has been followed by Jews everywhere; this acceptance should settle any question as to its validity. Yet by accepting another *shittah* for the institution, YU created a local *minhag* for its own narrow confines and effectively separated itself from *kelal Yisrael*. Furthermore, by its action, YU instigated the ensuing *mahaloket*. Had it been as concerned about the subsequent

dispute as to the propriety of its action as it later claimed to be, it would have taken the ramifications of its decision into consideration before acting.

The halakhic reasons for the *pesak* apply at YU. Much of the celebration of *Yom Ha'atzmaut* in Israel occurs on *motzai* *he-chag* as a continuation of the day's festivities and in *chutz la-aretz*, because people work and are consequently unable to celebrate during the day, and the danger of *chillul Shabbat* is great. The rule was also instituted because in Israel and in *chutz la-aretz* the commemorations frequently center around the schools, with many of the observances scheduled for the daytime; and celebrating the *chag* on *erev Shabbat* would interfere with the *chag* itself and with *hakhanah le-Shabbat*. The reasoning of the *Rabbanut Ha-Rashit* therefore applies fully to Jews in *chutz la-aretz*, religious or not.

As a member of the YU community and of the larger Orthodox community, I find YU's decision troubling. In 1991 this year's situation will reoccur. Three years ago, when the same situation occurred, YU celebrated *Yom Ha'atzmaut* with the rest of Jewry on the fourth of *Iyar*. Hopefully YU will return to the ranks of world Jewry on this issue three years from now.

Sincerely,
Shlomon Schneider, YC 87

Join Hamevaser!
contact Robert Klapper
(212) 795-5541

The Changing Faith of Yeshiva

	Positive %			
	JSS	IBC	MYP	SCW
I come from a very religious home	46 58	78 72	79 83	
I enjoy studying (Jewish Studies) at YU	83 70	62 69	74 81	75 84
I think YU should be co-ed	47 62	56 26	37 17	25
I consider myself a religious person	87 95	79 89	93 91	91
I come from a very observant home	47 60	73 70	77 84	79
I often have doubts about the existence of God and the truth of the Jewish Religion	38 20	30 22	19 8	23
Sending your child to Yeshiva may make him intolerant to other ways of life	70 40	32 30	37 25	22
I value religious studies more than secular studies	44 31	19 36	54 64	43
I have had a strong Yeshiva background	24 28	70 72	89 83	82
I consider myself a liberal in politics	56 43	43 26	40 25	44
In evaluating a candidate for higher office I consider his support of Israel essential	82 67	90 89	80 93	95
If I miss a davening I am upset	72 62	46 56	74 82	60
The six day war may well have been a miracle	83 86	83 92	84 93	85
I am seriously considering Aliyah	69 33	77 56	69 66	66
I rarely go out on dates	43 31	14 412	40 53	34
I always try to daven with a minyan	31 45	16 44	46 72	3
I have attended political rallies unrelated to Jewish issues	28 15	15 7	11 10	10
There are certain laws that I just can't observe fully-n'giah is one of them	51 59	70 58	43 27	29
I have a substantial night seder	25	11	47	31
I am more religious than my parents	67	62	55	53
I would feel more uncomfortable seeing a play in which women sing	18	11	51	14
I listen to modern vocal non-Jewish music	90	93	67	79
If my Rabbi knew what I did in all facets of my life, I would be embarrassed	45	62	54	40
I plan on setting aside time daily to learn Torah for the rest of my life.	70	70	91	53
I would like to receive more spiritual guidance from qualified advisors at YU	43	44	65	62
I consider YU to be primarily a yeshiva	23	26	41	38
The YU environment is conducive to my lifestyle	68	70	69	68
I have considered giving up religion	19 20	17 15	18 12	13

(For each question, the upper row of numbers refers to the 1972 survey and the lower row refers to the 1988 survey. Where only one figure appears the question was not asked in 1972, and in 1972 SCW was not surveyed at all).

By Howard Sragow

The 1988 Hamevaser survey was answered by 114 of the 459 (25%) MYP students, 42 of the 224 (19%) JSS students, and 28 of the 168 (16%) IBC students. In total, 22% of Yeshiva College and 13% of Stern College responded. 83 of the 421 (20%) MYP students, 56 of the 230 (24%) JSS students, and 54 of the 260 (21%) IBC students responded to a similar-Hamevaser survey in 1972.

The editors of Hamevaser in 1972 originally intended their survey to dispel (or confirm) the conceptions many students had about the three Jewish Studies divisions of Yeshiva College. They found, as we did in 1988, that no definite relationship could be found among students of the three divisions. Answers from each tallied with those of the others on some questions and diverged widely on others.

JSS is still a haven for students from non-religious homes, but hardly to the extent it was in 1972; it seems that students of all divisions now come from more solid religious bases. However, just under three quarters of JSS students still believe that they lack a strong background. However, they have reversed their self-evaluations,

in regard to religion, proportionally the other divisions have twice the amount of students who do not consider themselves religious. More than half of JSS, disagreeing with the majority all other schools, including Stern, maintains that Yeshiva should be co-ed; IBC and MYP have relatively few proponents of a co-ed university.

MYP retains its grasp on the most religious students. Its students are the most careful about prayer and inter-sexual contact, most uniformly intend to continue their daily Judaic study, and consider Aliyah more seriously. Their faith is generally unquestioning; few take the liberty of doubting God's existence or even the validity of the Jewish religion, as students from other divisions do. A relatively high percentage of MYP students (as well as much of Stern College) still believe that Yeshiva University is primarily a yeshiva.

Only 16% of IBC students replied to the survey, so already hazy conclusions become even more so in their case. Nevertheless, that a higher proportion of SCW than IBC students feel uncomfortable hearing women sing is quite telling. But that is one of the few areas in which they distinguish themselves from the other two

YC divisions. Usually they cling to one side or are a hazy middle. Their only other unusual statistic was their lack of a regular night seder.

The 1972 survey unfortunately did not include SCW students, so much of the comparative work done on the men's answers is impossible on the women. Rather peculiarly, 15% of SCW respondents expressed discomfort at the prospect of hearing a woman sing during a stage play. Most, as expected, did not consider davening with a minyan a major concern.

The correlations proved interesting. Of the students that answered "I" (not true at all) to "I listen to modern vocal non-Jewish music", 71% also answered "I" to "there are some halakhot I cannot observe - n'giah is one of them". Of course, one does not lead to the other: both are products of the same cause.

A general division among the students centers around religious observance, especially the observance of n'giah. Students who maintain night seder or who believe YU primarily a yeshiva are less likely (26% and 33%) to ignore n'giah. Perseverance in prayer goes along with observance of n'giah too; merely 28% of those who

expressed positive passion for prayer in questions 16 and 12 neglect n'giah.

Surprisingly, the question of whether YU should be co-ed does not lie along the same dividing line; apparently, it is not solely a religious matter.

However, many factors outside the university which one would expect to effect a higher observance of n'giah do not.

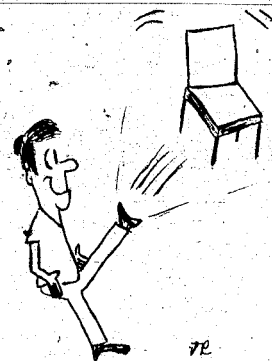
Students who have spent a year of study in Israel are 66% likely to observe n'giah, negligibly different from the 63% norm.

Also, students who claim a strong yeshiva background have no detectable difference in n'giah observance from those who do not.

Guidance is a major problem. Those who are not shomer n'giah expressed above average interest in religious guidance, as did students who have considered giving up religion or doubt the validity of the Jewish religion. Many of these students are starving for guidance which could relatively easily help direct them toward greater observance, but the university administration has not responded to that obvious need.

Faith and Futility

Three Views On Hishtadlut



By Moshe Feldman

"I kicked the chair; therefore it moved." Classically the kicking of the chair would be considered the cause of its moving. But if God controls all that happens — *Ha-Mehadesh be-tivo tamid ma'aseh bereshit* — is it correct to say that man is the cause of anything? What indeed is the relationship between *bitahon* — our trust in God — as the One Who guides the world, and *hishtadlut* — the effort we should exert in our daily activities? What is the exact relationship between God and *tevah* — nature? Rav Elyahu E. Dessler, Rav Yosef Leib Bloch, and Chazon Ish (Rav Abraham Isaac Karelitz) have interesting approaches to these questions.

Rabbi Dessler writes in *Michtav Me-Eliyahu* (vol. 1, pp. 177-203) that nature is an illusion; what we experience as "nature" is actually the direct result of the hand of G-d and therefore a miracle. Nature is not a separate entity. Rather, God performs miracles in a regular pattern to provide us with *bechira chofshit* — the opportunity to choose between the false belief that nature exists, that "*kohi ve'otzem yadi asah li et ha-chayil ha-zeh*," and the truth.

Rabbi Dessler thus explains the dictum (*Bava Metzia* 42a): "The blessing in the grain occurs not in that which is weighed, measured, or counted...but only in that which is hidden from the eye," as follows. Inasmuch as God perpetrates the illusion of nature only to allow man room for error, He is more likely to perform miracles when they will be undetected.

As nature serves merely to allow *bechira chofshit*, God has no need to deceive one who recognizes that nature is only a series of miracles. Thus when (*Taanit* 25a) Rav Chanina ben Dosa told his daughter, who had placed vinegar in the Sabbath lamp instead of oil, "Why are you sad? What difference does it make? He Who told oil to burn can tell vinegar to burn," the vinegar burned the entire Sabbath until they lit the *havdala* candle from it. Rav Chanina understood in the deepest fiber of his being that nature and miracles are one; God therefore had no reason to pretend that nature really exists in dealing with Rav Hanina.

Rav Dessler creates a hierarchy of ways of understanding nature. People on the first level, recognizing God, consider natural forces dominant in this world. They try to control these forces as best they can and attribute their successes to their own abilities. Nevertheless, they do pray for God's help as they realize not all factors are in their control. These people are quick to admit that God gave them their abilities in the first place but essentially see the world as run by natural causes. Rav Dessler regards such people as *ba'alei shiuv* — worshippers of two gods — since they believe that they as well as God participate in running the world.

People on the second level view nature as a tool in the hands of God. Rabbi Dessler offers a parable of a person who looks

through the keyhole to a room and sees a pen writing. The person might conclude that the pen writes of its own accord; however, by opening the door he reveals the writer. This corresponds to the attitude of the believer who recognizes that God is the sole cause of all events and that nature is utilized only to bring about the outcome He desires. He perceives Nature as reality but nevertheless *kachomer b'yad hayotzer*, as a pen in a writer's hands. One realizing that nature is merely an illusion used to test human beings in their exercise of *bechira chofshit* achieves the third level of understanding. The fourth, and highest level consists of those who view the concept of "natural causes" as not only incorrect but destructive, as obscuring God's glory.

In how much worldly activity should one engage? Rabbi Dessler posits five categories of people. Those who fully pass the test posed by the concept of "nature" and recognize the hand of God in all that occurs have no need for *derekh erez*, and, on the contrary, should spend all their time engaged in *avodat Hashem*. Thus Rav Zundel of Salant asserted that he had fulfilled his *chiyuv of hishtadlut* by buying a lottery ticket. Inasmuch as he felt himself unworthy of open miracles, he felt obligated to perform some minimal action to enable people to pin his success on something other than miracles.

On the second level stand those realizing intellectually that "nature" is a farce but have not completely internalized this idea; they therefore must undergo the *nisayon* of "nature." They should strive but simultaneously realize that God and not his *hishtadlut* effects the result. Should his *hishtadlut* be *l'shem shamayim*, he will eventually internalize the true concept of "nature" and thus ascend to the highest level of faith.

Rabbi Dessler explains (based on *Nefesh Ha-Hayim* 1, 85) that a seeming difference of opinion (*Berachot* 35b) between Rabbi Yishma'el and Rabbi Shimon Bar Yohai is actually an exposition of the two levels of *hishtadlut* described above. Rabbi Shimon Bar Yohai, in stating that if people engage in worldly matters the Torah will be left desolate, speaks of people on the uppermost level — those who should do nothing but study Torah. Rabbi Yishma'el refers to those on the second level when he says that one should engage in the "way of the world." The Talmud's relation that "many followed Rabbi Shimon Bar Yohai and did not succeed," means they had not reached the highest level of perfection and were therefore not worthy of miracles.

A person on the third level finds difficulty denying the reality of "nature," albeit recognizing that "nature" is a tool in the hands of God. Such a person should reduce his worldly activity since his *hishtadlut* serves only to weaken his belief. God will grant such a person his needs in miraculous ways, rather than through natural causes.

On the fourth level are those who deny the existence of miracles and attempt to

attribute miracles to naturalistic causes. Their *hishtadlut* will be denied success in order that they may learn that man's efforts are worthless because all derives from God's will.

The fifth and lowest level consists of those recognizing God's providence at all but say instead "it was my strength and the might of my hands that caused my success." "Such people will never acknowledge God even should they suffer, and God therefore rewards them in this world that they may suffer in the next.

Rav Yosef Leib Bloch of Telshe, in *Sh'arei Da'at* (vol. 1, pp. 79-138), also emphasizes that "nature" is not an independent entity and that God's will is not limited by "nature." Indeed, Rav Bloch observes that the idol-worshippers described during the period of the first Temple knew and understood the powers latent in the universe but thought that those powers did not derive from God.

Nevertheless, Rav Bloch has a much more sanguine view of "nature." "Nature" is not a mere farce perpetrated to serve the wiles of the *yetzer ha-ra*. Rather, it is God's will that all occurring in the world follow the plan He designed at Creation.

Thus even miracles often have a naturalistic component.

In fact, Rav Bloch asserts that even what we consider miracles are part of the order ordained by God at creation. Thus the Midrash (*Midrash Rabba, Bereshit* 85) state: "The Holy One Blessed Be He created the sea on the condition that it would split itself for Israel's sake." Using this idea, Rav Bloch explains why God had to go to such lengths to ensure that Balaam would bless rather than curse the Israelites? How could a curse be successful if opposed to God's will? Rav Bloch explains that even though "nature" is but a mere expression of God's will, God decreed that everything in the world should follow a certain (naturalistic) pattern, and that anything He might deem necessary to accomplish could be attained using that system. Therefore God had to influence *Bilaam*, in accordance with the natural law to bless rather than curse Israel.

Rav Bloch does not explain why the world follows these laws of "nature." But this may be in the category of "*veha-nistarot la-shem Elokeinu*." We can only know what we can do (*veha-nistarot lanu, ulvaneinu*). We must live on this world as it was created to perform our *avodat Hashem*. Rav Bloch emphasizes that God desired the world to come to its fulfillment (*takhlit*) within the existing order and no other. God, in His wisdom, embedded in this world at its inception all things necessary for its inhabitants to come to an understanding of the ultimate truth.

Accordingly, Rav Bloch has a different understanding of *hishtadlut* than does Rav Dessler. For Rav Bloch *hishtadlut* is not at all negative and should not be minimized or discarded (even at the highest level of faith described by Rav Dessler). Rather, *hishtadlut* is necessary because it is part

of the order of the world God created.

In this vein, Rav Bloch explains why Moshe Rabbeinu had to lift his staff over the sea and not merely command the sea to split. God arranged the world so that action has a greater effect upon the spirit than the speaking of a word.

Hazon Ish (in *Hazon Ish*, chap. 2) concurs with Rav Dessler and Rav Bloch that no independent force called "nature" exists, that everything stems directly from God.

He does not deal directly with the relationship of *bitahon* and *hishtadlut*. Nevertheless, it is possible to derive his view indirectly.

Hazon Ish suggests that Yosef was punished for depending on the *sar ha-mashkim* only because he knew that the chances of the *sar ha-mashkim* recalling him were very slight. Yosef's request to the *sar* was an act of desperation (*yeush*) and did not enter within the parameters of *hishtadlut*. Consequently it implied a lack of *bitahon*. Rav Dessler states that it was not proper for Yosef to undertake any *hishtadlut*; he should have relied on God alone. Hazon Ish, however, asserts that while God's will is truly the only cause, man is required to strive. Yosef's case was no exception. Yosef's fault was engaging in an act which implied *yeush*. Hazon Ish seems to agree with Rav Bloch in supporting *hishtadlut*, though he offers no philosophical explanation of why *hishtadlut* is necessary if everything is the direct result of God's will. He is satisfied with stating the halakha that one may not depend upon miracles.

One's opinion regarding *hishtadlut* should effect one's view of man's purpose in this world. Rav Dessler believes that man is on this world only to perfect his spiritual nature, and he would insist that we cannot be *metaken* the world in a physical sense since our efforts cause no physical results.

Rav Dessler would probably find difficulty with *Rambam's* statement that the reason that the nation of Israel has suffered so much is that it had not learned the art of war. And he would certainly have discouraged *benei yeshiva* from serving in the Israeli army, believing that their *hishtadlut* accomplishes nothing.

Rav Bloch and Hazon Ish seem to take a more centrist approach. The Hazon Ish also opposed having *baharei yeshiva* serving in the army, and Rav Bloch might have, but out of a belief in the absolute primacy of *talmud Torah*. *Hishtadlut*, in this case defense of the land, is not insignificant to them; *talmud Torah* is simply more important.

Whether one prefers Rav Bloch's view or that of Rav Dessler, the level of *bitahon* demanded is more elevated than the *bitahon* most of us exhibit as we go about our daily lives. We try to "leave nothing to chance," and often take the attitude that our accomplishments are our own. Let us instead take the message of our *mussar*, giants to heart.



The Pool of Faith

By Hindy Najman

"Great mass of men live lives of quiet desperation"

—Henry David Thoreau

The universal motif of man in constant struggle for nearness to God permeates all forms of art and thought. Inherent in man's character exists the urgency to know God. Loneliness fills man and he struggles to escape this world, attempting to approach the Divine. Man, a product of Divine overflow, lives to recapture the moment of creation when God first injects *tzelem elokim*. The painter's attempt to picture a force within nature exhibits this struggle. According to Vincent Van Gogh, painting onto canvases involves the capture of light "for that is the stuff of which life is made". He captures light and the Divine beauty which fills nature. The violent brushstrokes represent the tormented soul of man searching for satisfaction. Similarly, the *chazan* immersed in *tefillah* speaks to God through beautifully composed liturgy. Communication with God through prayer demands ability to temporarily withdraw from the physical world and enter one of contemplation. Amidst communication, the *chazan* strives to transcend limitations of human language, elevating prayer through song. Music thereby provides the service with the aesthetic enrichment integral to Jewish culture, creating a link to the historical Jewish people by connecting prayer with a rich tradition.

Literature also demonstrates an individual's need to separate from society and undergo spiritual introspection. In *Walden, or Life in the Woods*, Thoreau withdraws

from his community and enters into communion with the Divine by studying nature. Over a period of two years Thoreau capitalized on this opportunity to uncover his soul and boldly advance towards a profound understanding of the transcendentalist "Over"/"Soul"—the Divine Being.

In Walden, Thoreau delves into the world of thought, struggling to divine forces in nature. Walden pond represents the soul, firm and unchanging at its bottom, though it appears endless and incomprehensible. God, while revealing parts of Himself through nature, animal, and man, remains incomprehensible to man. Nevertheless the struggle to know Him continues.

Strains of pantheism appear in man's struggle to be one with God. Ancient Greeks eat of their totem and believe themselves internalizing their gods; Bacchantes eat of the bull and the participants in the sacrificial celebrations assume supernatural qualities. Euripides records men functioning as demi-gods, striving to realize the potential of their Divine spark. Thoreau consumes the woodchuck, internalizing the forces of wilderness. Unlike the Decadents in England and France advocating societal alienation, Thoreau's separation from his community is ephemeral. The return to nature fills Thoreau's need for contemplation yet he never lives in isolation. After absorbing every element of nature he then proceeds to imitate his Maker. As Thoreau constructs his home at Walden Pond he mimics the creative force of the Divine spirit.

Thoreau's wrote Walden over a period of one year, from spring of 1846 to May of 1847. Spring catalyzes Thoreau's spiritual

awakening. The symbol of growth and possibility, spring enables man to regenerate his spiritual character. This optimism pervades the entire work, rejoicing in man's rebirth and emphasizing his ability to begin again.

Intimacy and passion describe Thoreau's relationship with nature. Thoreau, the brilliant naturalist, attempts to recapture an earlier innocence infused with *tzelem elokim*. Thoreau believes that individual perfection can be achieved only through individual endeavors. Society however derails man from the track to spiritual growth. Owning property is slavery because man subjects himself and to labor on the land, condemning himself and his community to a hierarchy of power and control. Class structure, property and ownership tie down both the individual and mankind, the wealthy and the less fortunate. Thoreau, in love with simplicity, constantly urges man to consider and redefine materialistic necessity. Society needs figures like Thoreau, individuals possessing a broad perspective on a tainted society. Although Thoreau achieves a unity with nature in his period at Walden, he voluntarily returns to society.

Thoreau's move back to society from Walden demonstrates a need for human contact, not individual selflessness. In the communal world, man turns to man in times of loneliness. People comfort mourners using the common language of emotional sympathy and spiritual understanding. Man oscillates between two worlds; one where he struggles to meet the incomprehensible *Elokim* the other, a world where man confronts man—his fellow *tzelem Elokim*.

Even after a transcendental "mystical experience", Thoreau maintains friendships with Alcott and Emerson. Men best understand men when communicating with the Divine Spirit residing in each other.

This paradox frustrates man. If the human aspiration for intimacy with God can be achieved only by individual attainment, why must man reside in a society which breeds imperfection? Why can't he live in a pure world of Divine perfection?

In *Lonely Man of Faith* Rav Soloveitchik writes of conquering the loneliness within man. Man together with man conquers and creates. Judaism calls to the individual Jew, inspiring him to partake of the communal bond perpetuating the ancient covenant between Abraham and God. Man finds comfort in his ability to comprehend man and communicate with him. Thoreau in borrowing an ax from his fellow man, engages in an active relationship with his community. One part of Adam returns, out of loneliness, to his true self, to his *tzelem Elokim*. Overcoming his loneliness is possible only by drawing himself to the Creator. A second half of Adam is created and exists together with his mate. Images of the Divine Creator, each shares a part in the existence of mankind. Together they are created and as one they build, desire and live.

"The greatness of man manifests itself in his inner contradiction, in his dialectical nature, in his being singular and unrelated to anyone, and in his being thou-related and belonging to a community structure."

—Rabbi Joseph B. Soloveitchik

Who is a Jew?

The Rhetoric of Religion

by Jonathan Reiss

The gemora in *Megillah* (13a) states that a "yehudi" is anybody who rejects idol-worship. For this reason Bitiah, the daughter of Pharaoh, is referred to as a "yehudiah" in the Book of Chronicles. According to this exegesis, the "me hoo yehudi" (who is a Jew) law in Israel, which grants immediate citizenship to anybody who is a "yehudi", should confer citizenship to anybody who declares himself/herself to be a repudiator of idol-worship. Thus, Susan Miller, whose conversion to Judaism by a Reform Rabbi was unacceptable because it did not conform to halakhic standards, still qualifies as a "yehudi" if she has indeed abandoned all forms of idol-worship, and hence should have been granted citizenship by the Israeli government. Naturally, she does not possess "kedushas yisroel" and hence is not obligated to perform mitzvot nor permitted to marry other "yisroelim", but a "yehudi" she is.

It could be argued, and presumably would be argued, that the "mi hu yehudi" law does not mean to interpret the term "yehudi" in the strict literal sense that the gemora in *Megillah* does. Rather, the word "yehudi" is meant to connote a person who was either born to a Jewish mother or converted according to Jewish law. However, this description is not of a "yehudi", but of a "yisrael" in which case the law should have been called the "me hu yisroel" law. As long as we continue to call the law "me hu yehudi", we should abide to the strict meaning of the law's terminology. If we wish to argue against the Israeli government's application of this law, we should not attack its inclusion of non-Jews such as Susan Miller, but rather its poor choice of wording to begin with.

Ambiguous terminology has become a pathological plague of our times. People are no longer meticulous about their usage of important descriptive terms relating to our religion. Just as the distinction between "yehudi" and "yisrael" has become blurred, other fundamental appellations in Judaism have been so misused and corrupted as to lose all traces of their original meaning.

Thus, the term "Chassid", which in talmudic times referred to one who was very close to G-d and especially scrupulous in his religious observance, now refers to Jews, especially scrupulous or not, who are "hassidim", devout followers, of a specific "rebbe". Whenever the term "hassid" is used in modern times, the classical meaning of the word is almost never intended. As Rav Shimshon Raphael Hirsch writes in his "Fifteenth Letter": "Chasid," pious one! a glorious name, but misunderstood and deformed through ignorant or malicious misconception coming from without; the true "Chasid" is he who devotes himself in love entirely to the service of the Higher Power, who does not seek for himself aught, but relinquishes his claims upon the world in order that he may live more actively and carry out more thoroughly works of love for the world... He who says "That which is thine is thine and mine is also thine, is a Chasid," but a life of seclusion devoted only to meditation and prayer is not Judaism. Who today would think of describing somebody not of a Chasidic Sect as a "Chasid"? Rather than referring to an ideal spiritual state, the word "Chasid" is employed to create "agudot, agudot",

sects and divisions within Judaism severing the unity of our people.

The term "apikores", once used to classify those Jews who denied fundamental Jewish beliefs, is now thrown around as a slang expression to describe even people who have "emunah" but whose approaches towards Judaism are deemed objectionable in some other way by their opponents. The strong admonition of the "Netziv", Rov Naftoli Tzvi Berlin, in his introduction to his commentary on the Torah comes to mind. The Netziv contends that the "groundless hatred" which caused the destruction of the Second Temple refers to the unjustified labeling of any individual who worshipped God in a slightly deviant manner as an apikoris. In his Responsa "Meishiv Davar" (1:45) the Netziv reiterates his concern that especially in the present era, when we are colossally outnumbered by the nations of the world in *galus*, it behoves us to make a special effort to draw closer to each other, rather than polarize ourselves by readily distinguishing more and more fellow Jews as "apikorsim".

The scandalous subjectivity which has destroyed the pristine precision of our key expressions has also led to the careless promulgation of new terms to brand different types of Jews, thus spurring even more divisiveness within Judaism. Suddenly, our religion has become characterized by a newfangled trinity. Instead of Jews, there are now Orthodox Jews, Conservative Jews, and Reform Jews. The notion of dividing up Judaism into different denominations is not only alien to our religion, but intolerable. Even if we lack the power to restrain certain wayward individuals from forming heretical movements under the guise of Judaism, we do not have to accept for ourselves the tag of "Orthodoxy", thus implicitly legitimizing the compartmentalization of our religion. If we willingly modify our Judaism with the term "Orthodox", then we are implicitly approving of the choice of other Jews to modify their Judaism with other seemingly innocuous terms such as "Reform" or even "Reconstructionist".

Once again, it was Rav Shimshon Raphael Hirsch who anticipated the inherent danger of new religious "modifiers". As he astutely noted in his essay, "Religion Allied to Progress": "It was not 'Orthodox' Jews who introduced the word 'orthodoxy' into Jewish discussion. It was the modern 'progressive' Jews who first applied this name to 'old', 'backward' Jews as a derogatory term. And rightly so. 'Orthodox' Judaism does not know any varieties of Judaism... It does not know a Mosaic, Prophetic and Rabbinic Judaism, nor Orthodox and Liberal Judaism. It only knows Judaism and non-Judaism." Classifying ourselves as "Orthodox" isolates us from other Jews and encourages them to similarly create separate sects within Judaism. And by so isolating ourselves we deny our brotherhood with all other Jews and contribute to the devastating disunity of our people.

And all Jews are our brothers. The Rashba in his Responsa (1:194, #242, quoted by Rov Yoel Schwartz in *Ahavat Yisroel*) writes that even a Jew who is a "meshumad", who has completely severed his ties from the Jewish religion, is considered a "son" of Hashem along with all other Jews, in

accordance with the opinion of Rabbi Meir that even Jews who have sinned are called "Sons of Hashem". If we are all sons of Hashem, then we are all brothers. We cannot pretend to belong to a different family.

It is true that the law of "Veahavata Lereacha Kamochah" is generally understood as not applying to absolutely wicked people, whom we are even enjoined to hate. But how many people who have been misled and bred to by members of the Reform and Conservative movements are truly "wicked"? A number of them have great "emunah", and their lack of observance is based on ignorance, rather than impudence. Additionally, Chazon Ish (Y.D. 2:28) writes that nowadays since nobody really knows how to admonish properly (presumably meaning that our backgrounds are so dissimilar that we generally do not share a common mode of expression and thought from which to have rapport) no Jew can be labeled sufficiently wicked to be excluded from the category of "re'acha" whom we must love. Rav Aharon Lichtenstein, in a recent lecture, noted an apparent contradiction between one Rambam which writes that we must love all Jews, and another Rambam which rules, based on the Talmud in *Pesachim*, that it is a mitzva to hate a Jew who repeatedly sins despite being rebuked, and pointed out that it is not beyond the realm of possibility that we are even commanded to love those whom we must hate. Indeed, as Rabbi Meir's wife instructed him when he had to contend with a few wicked men in his neighborhood, (Berachot, 10a), the verse in *Tehillim* declares "eradicate sins from the land" — sins, not sinners. Insofar as, our brothers insist on straying from the correct path, we hate them, but our love for them inspires us to pray that they return) "Shuvu Banim Shovev'im".

In the days of the Second Temple, our forefathers contended with a sect seeking to bring alien ideas to Judaism; the "iz'dukim", who interpreted the Written Torah according to their own literal understanding, rather than relying on the traditional expositions of the Oral Torah. But also the traditional Jews were also labeled, as "perushim" (interestingly, virtually every reference in the Talmud to "perushim" as a sect specifically in contrast to the "iz'dukim" is attributed to "iz'dukim") it is clear from talmudic texts that they did not respond by simply isolating themselves as "perushim" Jews, leaving the "iz'dukim" Jews as an independently functioning entity within Judaism, but rather worked vigorously to blot out the existence of the sect entirely. Thus, a number of ordinances were enacted specifically for the purpose of "lehotzi meliban shel iz'dukim" — to cause the "iz'dukim" to lose heart in their ideology and return to Torah-true Judaism. The purpose of these enactments was not simply to protect the Jewish community from the influences of this deviant sect, but was, as the gemora in *hagiga* (23A, explicitly explains, to "make a sign to the iz'dukim") to reach out to them and motivate them to come back to the fold. Our Rabbis were anything but supportive of a religion split into "perushim" and "iz'dukim" components.

Obviously, our contempt for "Reform" and "Conservative" Jews should be directed more at the labels than the labeled. Rather

than disowning Jews who rally under these slogans, we must focus instead on delimiting their ideologies, just as our predecessors delimitated the movement of the "iz'dukim" in their attempt to win back their straying brethren. However, while "making a sign" for the iz'dukim was an easy matter because even the iz'dukim continued to function within mainstream Jewish society and worshipped in the same temple, the Reform and Conservative are much more inaccessible and hence more difficult to affect. The best way to "make a sign" to these variant groups in our times is to include them in one giant framework which would at least grant us the opportunity to have some influence upon them. If we could only work together with these groups, and yet at the same time refuse to grant legitimacy to their ideologies (like Rav Aharon Lichtenstein's idealistic if impractical dream of having one central beis din, recognized by all denominations, in charge of conversions, which would still firmly prohibit its Reform and Conservative members from serving as actual members of the beis din) we might be able to successfully motivate them to rejoin-us.

But if we disassociate ourselves from them completely, they will simply continue to develop as a separate religion, as it were.

Our first step towards rectifying the situation should be breaking down the terminological barriers. "Reform" and "Conservative" are not descriptive terms like "iz'dukim" (which signified followers of Tzadok) but euphemistic licenses to shirk tradition and not be held accountable by traditional Judaism. If we could only eradicate these destructive and divisive denominational terms, we would be able to once again unite with our fellow Jews as Jews not as Orthodox leaders meeting with Conservative leaders, but as Jews meeting with Jews, communicating as Jews, disagreeing as Jews. When we share a common denomination we can hope to share a common vision. We should take the first step and stop referring to ourselves as "Orthodox Jews", but simply call ourselves "Jews", or "Yisraelim", and address our co-religionists in the same way.

Unfortunately, instead of demonstrating the unity of all Jews, even our faithful, traditional leaders often expend their energies on attacking each other and perpetuating diverse and divisive denominations. Thus, instead of watching our leaders calling for all Jews to come forward as a unit, we watch them bickering over whether "centrist" orthodoxy or "right-wing" orthodoxy is the preferred approach within Judaism.

We live in a society that has splintered itself into smithereens. There are "right-wing" Jews, "left-wing" Jews, "centrist" Jews, "yeshivish" Jews, "Young-Israel" Jews, "black-hat" Jews, "modern" Jews, "baal teshuva" Jews, ... ad nauseum. I don't want to be a "centrist". Nor do I wish to be left-wing, right-wing, modern or obsolete. I am a Jew, one who personifies the traditions of the Written and Oral Torah, and the heritage of our forefathers. As long as I identify myself as simply a Jew, I am confident that all other Jews will feel comfortable identifying with me, and with what I stand for.



Confronting Modernity

The Philosophy of Isaac Breuer

By Kenneth Waxman

The mention of our new business school's namesake brings an instant smile of recognition to everyone's lips. We are all well aware of his famed contribution to twentieth century Jewish thought, "An educated consumer is our best customer." Such renown is not the lot of all our school's namesakes. Isaac Breuer, for example, remains shrouded in mystery. His works provide a deep, almost untapped well for the student of twentieth century Jewish history and philosophy to draw from.

Breuer feels charged with preserving the spirit of his grandfather Rabbi Samson Raphael Hirsch's works. Hirsch undertook to revive Judaism and Jewish values in the eyes of a people lured by the Enlightenment's promises of individual freedom and membership in Western society. To accomplish this, he attempted to overcome ignorance of Jewish ideals while injecting the Jewish tradition with the positive, acceptable elements of European culture. Breuer describes his own philosophic works as "enlightenment for the recognition of Judaism" (Jung, Leo. "Guardians of our Heritage" p. 626).

Just as his grandfather confronted the age of social emancipation and culture and proved it not only harmless but beneficial to Judaism, Breuer attempted to confront the age of national emancipation to prove it necessary and beneficial to Judaism. In his autobiography Breuer describes his motivations, "I felt that Orthodoxy, in its fear of the national Yetzer Hora, had withdrawn under the blanket of individualistic 'religion' in order to face the threatening impulses of the age of 'national emancipation' with the reinforced practice of Torah and mitzvot. But had it not struck out on the same path in the age of 'social emancipation' and had not this led to ... terrible catastrophes?" (Jung p 634). Breuer believed that just as flight from the Enlightenment resulted in barren monasticism and fueled the fires of the Reform movement, flight from the opportunities of national emancipation would lead to national suicide and feed the flames of the burgeoning secular Zionist movement. In Breuer's words, "the fight of Rabbi Hirsch for the essence of the Jewish community had already signified the fight for the Jewish nation, long before Herzl." (Jung p 635).

True to his word, Breuer did not make Judaism dependant on Kant. Many of his philosophic writings, though Kantian in orientation, contain important deviations which allow him to place the Orthodox position on a rational basis. With his use of Kantian categories and analysis, Breuer solves many current problems and adds meaning and clarification to many traditional Jewish beliefs. His writings on miracles provide an excellent example.

Breuer argues that the special significance of miracles cannot be due to their linkage with moral misconduct as Jewish monotheism dictates that the G-d of nature and moral law are one. Their significance lies in some inherent lesson contained in the breaking of the natural order. Breuer quotes Hirsch's opinion that miracles prove God's mastery over the natural order since whoever is able to break the order must control it. Here Breuer introduces his Kantian grounding. Since by definition a miracle, breaking the natural order, operates on principles other than causality, the chief a priori mechanism by which man perceives,

a miracle is either imperceivable or not a miracle. Breuer extends this argument to prophecy. A man cannot possibly perceive a communication from God, something which is completely beyond the natural order. Breuer concludes that only revelation can explain these phenomena. "Whatever is utterly inaccessible to human means of perception, revelation makes possible by granting intuitive means of perception of a new nature" (Levinger, Jacob "Concepts in Judaism" p. 122). Within this intuitive super perception is the validation of the occurrence as a miracle. The witness who directly experiences God's breaking of the natural order has experienced something beyond normal human limits. The miracle is the very fact he was able to perceive the occurrence. Every witness to a miracle is a prophet. A miracle is far more than an abstract proof of God's control. It is a direct experience of revelation.

Using the same method of analysis Breuer solves the classic conflict between religion and science. The scientific or philosophic indications that time has no beginning and space no limit pose no problem for the account of creation in Genesis. Creation like miracles and prophecy is a category outside the human realm of perception. Man by definition cannot comprehend it. Creation has a beginning and end while nature, the system of context and relevancy which God shrouded creation with on the sixth day, has neither. Any scientific evidence that man's powers of perception gather about the world is correct. However, they are only relevant to the "objectively valid Sabbath robe" (Levinger p. 128) of creation, not creation itself. The six days of creation need not be read as not really being days. Any attempt to conform the Biblical narrative to scientific evidence is unnecessary and contrary to the Jewish opinion on creation, miracles and prophecy. Attempts to insert such events into a causal framework undermine and hence deny the occurrence, and importance of the revelation at Mount Sinai, the great miracle of God's descent and creation of the Law, which turned all of the Jewish people into prophets. Without recognition of the absolute uncognizability of such events revelation is meaningless.

During the national prophetic experience at Mount Sinai, God furnished the Jewish people with the Law, a critically important factor in both Breuer's philosophic — religious and politico — national systems. Part of Breuer's religious system revolves around Divine emulation. God is the great creator who constantly forms and molds, thereby recreating the formable matter of the world. Man must similarly form himself, his "I," through the use of his will. An act of will, of free choice, fulfills the demands of "imitatio dei". The will's operational principle is the Law of the Torah.

The moral heteronomy of the Torah leads to a moral autonomy, when God's will is completely embodied in the will of the self. Breuer refers to this as sanctity, *kedusha*. This state is difficult to achieve. As Breuer wrote "Go not about your heart and eyes, or in Kantian language, pursue not the messages of your inner and outer experiences — for pursuing them thou wilt be unfaithful to me." (Jung p. 625) Since ultimate knowledge and reality are hidden from man, our only guide to correct choice is the Law of the Torah. It is only through

long and difficult adherence to the Law that the state of sanctity can be achieved.

The Law's role in Breuer's politico-national system stems from its unique origin and purpose. The Law binds the Jewish nation. Unlike secular law, whose foundation is the state, Jewish Law defines the nation and hence the state. The Jewish nation received its law (at Sinai), outside the state. It achieved national unity through acceptance of the Law. The Law rules sovereign over the state (Jung p. 628). The Jewish people's national duty is the upkeep of this Law. Breuer goes so far as to claim that the religious and educational functioning of the Law is contingent upon the national character of the Law. Had the Law been given to the amalgamation of individuals at Sinai, qua individuals, it could not bind future generations. When fulfilling his national obligation the individual does not obey the Law because he is convinced of its divinity but rather because the nation's will, ranking higher than his own, binds him. The absolute obedience and duty that the Law demands allows the soul searching for truth room to grow and merge the will of the Torah into his own. Were the Law contingent upon belief in its divinity, were it a doctrine accepted or rejected on the basis of personal conviction, the struggling individual would have no room to practice the Law. "If Judaism was only doctrine, doubt would exclude one from the community" (Levinger p. 48). The Law could not educate.

This conception of the Law drives Breuer's anti-Zionism. Despite showing no tolerance for reform — secularist Jews, Breuer does not dislike the Zionists because they are not Sabbath observers. He abhors the confining of Torah and observance of the Law to the province of "national peculiarity" (Levinger p. 82). The secular Zionists had spurned the call of "let us be like all the other nations", made up of religious and atheist groups. For the man who believed that the Jewish nation is defined by the metaphysical law it received at Sinai, and that, "It is precisely for the realization of this law that it receives its land and founds its state" (Jung p. 625), these calls came from "the most terrible enemy that has ever risen against the Jewish nation" (Jung p.634).

Breuer's anti Zionism is not monolithic. Unlike his Agudah colleagues, he sees positive attributes in the Zionist movement. He uses it as a springboard for his own messianic Agudism. Breuer claims that he saw in Zionism "the national Yetzer Hora destined to arouse the national Yetzer Tov which would give the people of the Torah a conscious sense of history (and) make them capable of acting as a living nation for the first time in 2000 years by bringing them in contact with the land of the Torah." (Ibid). Zionism is more than national assimilation, "It is an instrument of God and meta history (the Divine plan for the world) for making the Jewish people more active... in perceptible history. (the visible history determined by man's free will)." (Ibid.). Breuer believed this would lead to the Jewish peoples predestined goal, the messianic age, when meta — history and perceptible history will be united.

Throughout his political writings Breuer trumpets that the "Historical future is blossoming forth... towards the Law of God." (Levinger p. 98). Breuer felt that

the vehicle to realize the new task the era presented, "the mobilization of the Jewish people and the Jewish land for the reunion under the sway of Divine Law" (Levinger p. 99) was the Agudah. Breuer was a member of the original provisional committee in 1914 and was partially responsible for the Agudist Constitution at the first *Knesset Gedolah*. To facilitate the establishment of the true Torah state, where the Jews would be able "to make a reality out of their culture of law" (Ibid), Breuer designed a "program of preparedness" for the Agudah, intended to suit the Torah to society and suit society to the Torah. The eternal precepts and ideals of the Torah had to face up to and be applied to the new economic and social conditions. These new applications of Halakha would provide the grounding for the constitutional and economic laws of the new state. Furthermore, such applications would prove the eternal validity of the Torah. Breuer made great efforts to persuade the Torah scholars of his day to set their minds to this task.

Breuer's program was also designed to spark all Orthodox Jews to participate in and influence society under the banner of the Torah. They would form an organization, not a political party or faction, that would be "the signpost of an indestructible nation of the Torah which neither knows or recognizes any Jewish nation beyond itself" (Levinger p. 9). The chief goals of this organization were to be education and heavy settlement in Israel.

Despite Agudah's rejection of his "program of preparedness", Breuer only broke with the Agudah briefly. His independent Brit Emunim never succeeded, prompting him to return to Agudah. Breuer recognized that the Agudah "in all its static insufficiency was an exact organizational reflection of the nation... estranged from history, recognizing only the tasks of the present" (Levinger p. 308), completely uninspired by the novel confrontation of the nation and the land. Nevertheless, he felt that the Agudah was the only organization for those who denied a secular national home, even one with a place for religion.

After making Aliyah, Breuer took up the presidency of Poale Agudat Israel as part of his never-ending quest to galvanize the Agudah. Breuer wanted the Agudah to include all people, workers as well as Roshei Yeshiva.

Breuer's involvement in various national and political activities clashes with our anticipations. Neo-Kantian philosophers are supposed to think, rather than lead. In fact, both Breuer's philosophic and political activities stem from his cohesive, cogent approach to modernity. The twin problems of modernity, national emancipation and the confrontation with Western culture resulting from social emancipation, sparked Breuer's visionary leadership.

As with many visionary leaders Breuer did not see his policies realized in his day. In his later years, after giving up the presidency of Poalei Agudah, Breuer expressed great pessimism about the mainstream Agudah, the one concerned only with community problems such as kashrut and Sabbath observance. Breuer believed that were the Agudah not to recognize its major duty "to build for the King his national home", "it will find itself excluded from this era, and its efforts in Eretz Israel will amount to no more than a game" (Levinger p. 308). Was he only a visionary, or prophet as well?



Passion vs. Purification

By Yehuda Galinsky

Tanakh frustrates the average yeshiva student. Shaped philosophically by the Talmud, he finds the Bible's omissions startling and its contents even more so. The ideal of complete dedication to Torah study, for example, does not appear, and *olam ha-aa* and *gehinom* are mentioned only in cryptic allusions. Idolatry, on the other hand, is omnipresent. The generations worthy of the Divine Presence seem intellectually and morally inferior to those of *hester panim* eras. Judaism has seemingly undergone an evolutionary process.

Our Sages were well aware of the discrepancies between their postulated ideal and that of the Bible. Chazal did their midrashic best to rabbinicize the biographies of biblical heroes. Abraham, we are told, dutifully carried out all the Torah's precepts, including *teruv tavshilin* (Yoma 28b). King David rose at midnight to study Torah until daybreak (*Berakhot* 3b).¹

The Reform movement used the evidence for past changes to justify present adaptation. Abraham Geiger eloquently preached² that "The outer shell, the ritual forms, are not bearers of the spirit...they are of no further use to piety once they no longer bear the spirit within them. Times and circumstances change and necessitate many modifications and new institutions which are needed...to keep our religion alive." Geiger believed that the transition from Biblical religion to Rabbinic Judaism occurred shortly after the destruction of the Second Temple; most historians place it either at the time of Ezra or during the rise of the Hasmonean dynasty.³ All agree, however, that Jeremiah and Isaiah were not cut from the same cloth as Abayye and Rava.

Ha-Rav Avraham Isaac Ha Kohen Kuk addresses⁴ the evolution of Judaism without undermining the authority of tradition or abandoning *p'shuto shel mikra*.⁵ Rav Kuk believes that man's encounter with G-d revolves around complementary but yet contradictory forces, the soul's yearning for encounter with the Divine (*kirvat ha-Elokim*) and the "voice of purification." "All of nature, the stream of consciousness and life declare that this encounter is the

essence of all good, the root of all true happiness. It is this striving that is the source of eternal life, of light, of heavenly pleasure." (H.H. p.113) But spiritual passion must be purged and cleansed to prevent the God idea from degenerating into an evil and monstrous concept. Man is a proper receptacle for Divine Holiness only when intellectually and morally prepared (ibid. pp. 113-114).

Judaism balances man's passion for the Divine with his inner "voice of purification" by maintaining prophetic and scholarly institutions simultaneously. Moshe Rabbeinu epitomized this synthesis. But an unquenchable thirst for G-d's closeness must quiet the critical voice, and intellectual worship inevitably dulls instinctive spirituality. Rav Kuk believed that ideas influenced events; the Jews' failure to properly cultivate their "voice of purification" eventually led to the *churban* (ibid. p. 114, H.A. p. 121).

The religion of prophetic times stressed Divine encounter. The Divine Spirit pervaded and vitalized all aspects of Israel's national life, its history, language, land and lifestyle, endowing everything with delight, valor and richness. Torah study and the fulfilling of commandments were means, refining and perfecting man, making him capable of experiencing the Divine Light. Moral and intellectual rigor were needed to safeguard and clarify the G-dly flow. But religion was not the study of texts; it was life itself (D.H., pp.3-4).

As time passed the Jews neglected to balance their passion with self-perfection, and their disregard of the details of religious law led to moral degeneracy. No longer able to absorb the pure Godly spirit, they turned to foreign versions of the spiritual flow (idol worship). Eventually even the prophets could not influence the people to change their ways, to perfect themselves and return to God. Exile was decreed. Israel lost her center of spirituality, the *beit ha-mikdash*, and her land (L.H. pp. 106-108).

The punishment was in a sense therapeutic. Lacking the Divine Presence, *Benei Yisrael* delved into the concrete aspects of their culture. Religious life became homocentric,

and the Jews preoccupied themselves with concretizing and developing the Law (L.H. p.110, D.H. p. 5).

For a people living in the quasi-afterworld existence of First Temple times, any description of *olam haba* would have been superfluous or a lessening of the true glory. Living in the presence of the Lord, they would have found emphasis on concepts such as Divine retribution and stress on the study of particular *halakhot* unnecessary and pedantic. They observed details as part of their general striving for closeness with G-d (L.H. p. 111).

The Torah in a sense had to be rewritten⁶ following the departure of G-d's presence. Due to the shift in focus many previously implicit or undeveloped laws and dogmas suddenly required explication and clarification. And the removal of the immediacy of the *shekhina* eased conceptualization and generalization about heavenly issues. The scholars stress on Torah study and the detailed performance of mitzvot "killed the desire to worship foreign spirits", improved public morals and encouraged intellectual rigor. But it simultaneously removed religion from the stream of life. The vitality and vigor of worship during the prophetic era was no longer commonplace, now be found only in unique souls who had somehow managed to retain a spark of the religion of old. For many, carrying out G-d's commands deteriorated into a philosophy of "what I am forced to do I shall do (and no more)". The passion for a relationship with a living God disappeared; the light and richness that yearning cause no longer existed (L.H. p. 114).

The founders of the Hasidic movement sought to reawaken the desire and striving for a passionate religious life. Yet the dangers of their approach were as great as ever. Only the vigilance of the Gaon of Vilna and his followers kept *Chasidut* from veering off the path of individual perfection, from fatally downplaying the importance of Torah study and *halakha* fulfillment. Rav Kuk believed that "it is only in today's time through the existence and development of these two forces, as one group, that

a foundation for the rebuilding of Israel in the land of our fathers can be established" (D.H. p. 7). Only by combining the all encompassing and invigorating spirit of the prophet with the scholar's moral-intellectual rigor and well grounded religious truth can *Emet* rejuvenate the returning nation. "*Emet me-erez tiztmakh / v'tzedek mi-shamayim nishkaf. Gam Hashem yitten ha-tov / ve-artzeynu titen yevulah.*"

Footnotes

1. Other midrashim state that Abraham fulfilled only the Seven Noachide Laws and brit milah, and that King David divided his night between Torah study and psalm composition.
2. Weiner, Max "Abraham Geiger and Liberal Judaism" JPS, 1962 p. 248B.
3. A relevant summary is found in Mantel's "The Sadducees and Pharisees", *The World History of the Jewish People* vol.8, p. 99-123
4. Rav Kuk's discussion is scattered throughout his works. In my attempt to produce a coherent pattern from his writings, I have simplified and harmonized sources. For a more accurate and multi-dimensional view check the original texts. In Maamarei Hariah: Derkch Ha-Tehiyah (subsequently referred to as D.H.) pp.1-9, Ha-Maor Ha-Ehad (subsequently referred to as H.H.) pp. 113-115. In Orot: the section La-Mahalakh Ha-Idiyot Be-Yisrael (subsequently referred to as L.H.) and Hakham Adif Me-Navi (subsequently referred to as H.A.) pp. 120-121. An adequate translation of D.H. and H.A. is found in Ben Zion Bokser's selected translation's of Rav Kuk's writings.
5. Dr. Yaakov Elman maintains (Tradition Fall 1985) that Rav Tzadok Ha-Kohen of Lublin also addresses this issue within the bounds of *peshuto shel mikra*.
6. Rav Kuk's words are "Nishtaneh ha-k'lav acharei shehak'ay le-rishon nehefakh la laro'ez." This is Rav Kuk's symbolic interpretation of the Talmudic passage stating that during the time of Ezra the letters of the Sefer Torah were switched from ketav Ivri to ketav Ashuri.

Creativity and Avodat Hashem

Based on a lecture by Rabbi Michael Rosenzweig. All errors of formulation, fact etc. are the author's.

By Robert Klapper

"Bereishit bara Elokim." In the beginning God performed the utterly inimitable creation *ex nihilo, bri'at yesh me'ayin*. Yet man is required to emulate all of His ways. "Ihidamot lo k'mah she'efshar."

Creativity and submission clash constantly in Jewish thought. "Ein somchin al haness", "one should not rely on miracles", but Ramban claims "that each moment of existence is a *ness nistar*, hidden miracle. Prayer and Kabbalah are means of "affecting" the Divine, but both are aspects of *avodat Hashem*. And finally, "Ein beni chocin elah mi shekibel alav ol malchut shamayim", "no one is free except he who has accepted upon himself the yoke of heaven." From that paradox the necessary synthesis emerges. Man must create, but only for the greater glory of G-d. And he must realize that he can at best rediscover Divine truths or develop his own *izelem Elokim*; he can but transform the *yesh G-d* brought into being.

Rav Yosef Dov Soloveitchik teaches in **Lonely Man of Faith** that man has a religious obligation to create in both the physical and metaphysical realms, to build the world physically, spiritually, and even aesthetically. And while the rigid Halakic system limits human autonomy greatly, unmoderated inflexibility leads to the ritualism Yeshayahu denounced and the legalism so often criticized today. Judaism must provide a way for man to achieve a personal relationship with G-d.

Gershom Scholem writes that every religion creates mysticism in reaction to increasing formalization, surviving undivided if the formal structure allows accommodation Kabbalah, however, is neither accessible nor attractive to all. And extra-halakic religious systems hold the danger of subjectivism, which Rav Soloveitchik teaches in **Halakic Mind** is actually self-worship.

Torah provides several non-mystical outlets for human creativity within the halakic system: The *Sefer Hachinukh*, for example, believes *bri'at milah* an act of self-perfection, and possibly the mitzvah of "zeh keli v'anvehu", of beautifying mitzvot, allows man to redefine *cheftzot shel mitzvah*, objects of mitzvah. Rambam in his Commentary on the Mishna explains that God gave the Jews many mitzvot so that each would find one to excel in and be particularly inspired by. The permission

of *Tilat n'dava*, voluntary prayer, provides similar opportunities for man to personalize religion. Finally, most *rishonim* encourage the search for *ta'amei hamitzvot*. The *Sefer Hachinukh* among others believes that each commandment has multiple reasons, enabling each Jew to personalize his *kavana* while performing it.

The *Yerushalmi* extends the tension between creativity and submission to the realm of *talmud Torah*. "Kol mah she'atid talmid va'ik lechadesh k'var ne'emar l'moshe misinai". "Everything a veteran student will originate in the future was already said to Moshe at Sinai". The tradition is both vast and rigid. But it also contains ample evidence of individual contribution. "Chayav adam lomar davar b'shem omro", one must identify the Torah he has learned with the man who taught it. The dialectic method pioneered by the *Ba'alei haTosafot* revolutionized Talmudic studies in the Middle Ages, as did the pilpulists in the fifteenth century and Brisk in the nineteenth. Various scholars of the fifteenth and sixteenth centuries claimed that Eliyahu haNavi had revealed himself to them, giving their works a legitimate source outside the received tradition.

David Singer and Moshé Socol recently argued in **Modern Judaism** that the Rav's description of his grandfather as a revolutionary resulted from the influence of modernity on his thought, that *chidush* is actually antithetical to halakha. Their opinion was considered and rejected by the *Tanna Rav Elazar*, who once asked his students "Mah *chidush* ne'emar havom?" "What of originality was said today?" They replied in surprise "v'halo *talmidecha anu*". "Are we not your students?" How can we say anything you have not already heard? And he told them "ee efshar l'veit *hamidrash b'li chidush*", "There cannot be a House of Study without original contribution." The *Yerushalmi* itself believes that a veteran student can be *mechadesh*. Yet the concepts of *mesorah* and *y'ridat hadorot* (continuous decline of the generations dating from the Sinaitic Revelation) would seem to exclude any sort of development or progression.

Judaism solves the creativity-submission conflict by incorporating *chidushim* into the *Mesorah*. A *talmid va'ik* can be *mechadesh*, but his *chidush* is valid only insofar as it can be included within the Sinaitic revelation, only to the extent that it is rediscovery. This solution does not, however, account for the concept of "eilu *veilu divrei Elokim Chayim*", "These and those are the words of the living G-d." The Talmud applies this concept to directly contradictory opinions. Such opinions

cannot be contained within an ordinary tradition.

But the *Mesorah* is no ordinary tradition. The *Midrash* tells us that every word heard at Sinai divided into seventy voices, that multi-dimensionality was built into the *Mesorah* at its start. When Moshe Rabbeinu went up to the heavens he saw the Heavenly Court developing forty nine reasons for both permission and prohibition on ritual issues, and he was told "nims'ru *lechakhmei yisrael vehahakhra'ah k'motam*". "They have been given to the wise men of Israel and the decision is theirs." Maharal believes that all opinions arrived at by legitimate methods on halakic issues have significance, albeit those accepted *lehalakha* have more; each issue has "aspects of *tumah* and aspects of *taharah*". And Ritvah believes in multiple truth, that somehow mutually exclusive opinions on halakic issues can be true simultaneously.

The justification for this fragmentation of tradition is Judaism's acceptance and valuation of the uniqueness of every human being. The Mishna tells us that because of that uniqueness "chayav kol adam lomar bishviti *nivra ha'olam*", "Every man must say that the world was created for him." And the *Tanchuma* points out that individuality is more than skin deep: "Just as their visages differ one from their others, so do their minds."

If initiative is permitted, then it is obligatory; *imitatio dei* cannot be disregarded in *talmud Torah*, the most spiritual activity of all. The passion of the *Beit Hamedrash, "milchamah shel Torah"*, derives from the religious nature of the intellectual battle in Torah. But again the emotion and the creativity must be within the system: "afilu av unvo v'rabi v'talmid bish'at limud na'asim oyvim v'eynam' *zazim misham ad shena'asim ohavim*". "Even a father and son or Rav and student in the time of study become enemies but do not leave (their studies) until they become friends." The words of Torah are "ever multiplying" yet "fixed as driven nails". *Chidushim* are valid only insofar as they possess both characteristics.

Perhaps the most poignant testimony to the value of human initiative in Torah comes from the Vilna Gaon, who turned down a dream-maggid's offer to teach him the entire Torah. But throughout Jewish history scholars have defended man's right and need to earn the Torah and make it his own. Geonic opponents argued codification outweighed its benefits, that preventing misinterpretation was not as important as making sure people learned the original sources. The Maharal's brother,

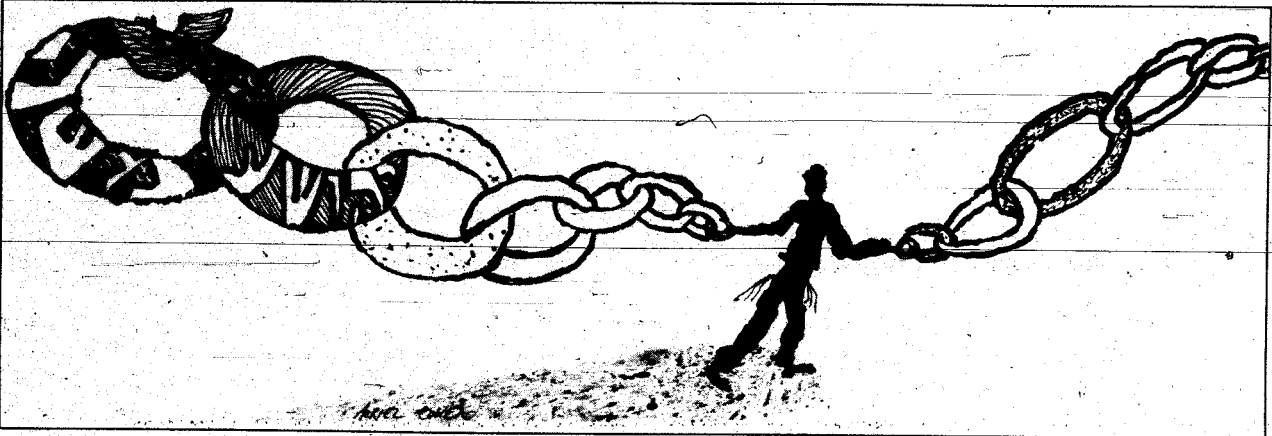
protected the *Shulchan Arukh* on the *Tanchuma's* grounds; as people's minds differ from one another, each can extract something unique and valuable from halakic texts. The Maharal (*Netivot Olam*) railed against those who pasken from *sifrei p'sak* without checking the original sources. "Ein *l'dayan elah mah she'eynav ro'ot*", *p'sak* given from secondary sources is a case of the blind leading the blind.

The abuses feared by opponents of codification have never been more evident than in our era, in which reliance on summaries and even English "how to" books, and to a lesser degree on the *Mishnah Benurah*, have made the *Magen Avraham* and even the *Taz* obsolete. Sadya never has the need for such reliance been more widespread. Yet specific historical eras encourage sensitivity to certain issues, and we must believe that our generation too has something unique to contribute. If this seems presumptuous of us, if we are accused of ignoring the concept of *y'ridat hadorot*, our response must be an abiding faith in the progression of ideas and the unfolding of *mesorah*.

Even those less experienced and less talented are valuable links in the chain of *mesorah*. Individual responses are important in both *lomdus* and *hashkafa*, and the inevitable subjectivity created by the order and amount of the *posek's* exposure to sources plays a legitimate role in *p'sak*. But one must constantly challenge his or her own objectivity to avoid subjectivism and self-worship.

Not all ideas about and in Torah are worthwhile. *Tosafot* denounces "charifut shel hevel", "worthless sharpness", as does Maharal "pitpula shel hevel". Capacity to be *mechadesh* requires a minimum level of knowledge, method, and the parameters of conceptual plausibility in halakha and *machshavah*, plus exposure to real and textual *rebbeim*. But given those conditions, every Jew has the right to view himself as a potential contributor to and transmitter of the *Mesorah*. We have the obligation to pursue truth with passion yet with the utmost respect for our predecessors in the eternally-unfolding *Mesorah*.

Hamevaser
wishes all its readers a
chag sameakkh



Kol D'mei Achikha

The Orthodox Response

By David Debou.

HAMEVASER
Iyar 5748 • May 1988 page 10

Forty years after the Nazi attempt to liquidate the Jewish people, historians are hotly debating the emotional issue of Jewish effectiveness in averting the tragedy. Dr. David Kranzler, a noted Holocaust historian, dedicates himself to the task of bringing to light the oft forgotten and even conspicuously understated efforts by the observant community to save European Jewry. In *Thy Brother's Blood*, published last year by Mesorah Publications, Kranzler analyzes the Orthodox response during the Holocaust. He collects and relates the many heroic and decisive ventures accomplished by Orthodox Jews, contrasting these efforts to those of the Jewish establishment embodied in the Joint Distribution Committee (JDC), American Jewish Congress (AJC) and other assorted organizations — and tells of the opportunities to save Jews lost to their obstruction and misplaced priorities.

Kranzler claims that Torah observance was the key to the religious community's success. The loyalty of Orthodox Jews to the Torah made them impervious to the assimilationist pressure that drove the majority of American Jews to place patriotism before the interests of their fellow Jews in Europe. Kranzler explains that the Torah dictates of *pikuach nefesh*, the saving of lives, and *laravit*, the responsibility of Jews for one another, drove the rabbis of the Vaad Hatzalah to use any means possible to save Jews. The American establishment, however, responded with a business-as-usual, strictly legalistic approach; they sent money only through the prescribed channels, obeyed immigration quotas, and even thwarted illegal immigration attempts. The Orthodox community, compelled by the halakhic concepts of *pikuach nefesh* and *aravit*, made saving lives their highest priority. While the Zionists planned for a post-war state, the Orthodox sought to save the Jews from present danger. Finally, Kranzler asserts that the medieval practice of ransoming Jews, *pidyon shvuyim*, abandoned and derided by the assimilationists but utilized by the Orthodox, provided the most effective means of saving European Jews once the "Final Solution" began.

Kranzler supports his premise by documenting the host of ransom deals which the famous Rabbi Michael Ber Weissmandl orchestrated and an unbelieving or unwilling world Jewry foiled; their eventual support of these efforts came too late in the war and involved only a fraction of their total budget. He tells of the persistent and persuasive lobbying of the Agudath Israel rabbis and how, according to the diaries of Treasury Secretary Henry Morgenthau, Jr., they affected American policy profoundly. He tells of their many ingenious and illegal schemes to save Jews, and how they were everywhere thwarted by established Jewry.

But *Thy Brother's Blood's* focus on Orthodox efforts to save Jews during the Holocaust obscures the broad picture of rescue missions as well as some of the historical and motivational factors posited by other historians. Yehuda Bauer's apologetic account of the efforts of American Jewry contrasts sharply with Kranzler's strong criticism of the American establishment.

Bauer's main theme is the political powerlessness that beset the Jews on the eve of World War Two. His thesis places the American establishment in a better light, attributing some of its ineffectiveness to circumstances beyond its control. Bauer also stresses that the Zionist maneuvers during the war, which Kranzler calls a misplaced priority, contributed directly to the post-war establishment of Israel. In the conclusion to his *American Jewry and the Holocaust*, he agrees with Kranzler's assertion that the JDC's staunchly legalistic approach limited its effectiveness, but continues to name limited funds and a hostile Allied policy towards rescue as other significant factors. Within those limitations, Bauer says, the JDC "did a great deal of good." (p.458)

The differences between Kranzler and Bauer lead them to paint vastly different portraits of an important character, Saly Mayer, the JDC representative in Switzerland. Bauer paints a most charitable picture of Saly Mayer, explaining how Mayer tried his best within the limited budget the JDC set for him. He goes to great lengths to show that claims against Mayer's funds justified his refusal to answer Rabbi Weissmandl's plea to save Slovakian Jewry. Kranzler, however, castigates Mayer for his assimilationist tendencies and indifference to European Jewry. He tells of Mayer's arrest of Recha Sternbuch, a religious rescue activist, and of how he returned illegal refugees to France. (Gerhart M. Reigner, *Nazi Era Jewish Leadership During the Nazi era*, ed. Braham) seems to vindicate Kranzler's version. He speaks of Saly Mayer's failure to voice his objection to Swiss immigration policy even when the majority of the Swiss public vehemently protested.) Bauer acknowledges that a real difference could have been made had more funds been channeled to Rabbi Weissmandl's efforts.

David Wyman, author of the *Abandonment of the Jews* takes a more objective stance than Bauer, pointing a critical finger at American Jewry. Two factors, he says, militated against an effective Jewish response during the Holocaust: lack of united action and the top priority Zionists placed on post-war goals. He describes the factional wars and the establishment Zionist attempts to subvert the Revisionist-Zionists' Rescue Resolution, which called for a rescue agency and a favorable immigration policy among neutral nations. Wyman goes on to describe the accomplishments of the Bergson group — the revisionist Zionists — in creating public awareness and effective political pressure. While Wyman recognizes the Vaad Hatzalah's contribution to rescue, he describes it as a limited operation. One gets a different impression from *Thy Brother's Blood*, in which the Orthodox rabbis get most of the attention; the Bergson group's resolution, which led to the War Refugee Board, and effective media stunts are relegated to a single paragraph.

Adding to Wyman's criticisms of the JDC, Kranzler decries their strict legalism. This is a sensitive issue and a pillar in Kranzler's thesis. He writes, "Yet one must not attribute the assimilationists' refusal to sanction extra-legal rescue to a lack of personal decency and compassion... The issue wasn't kindness, but rather, the

assimilationists' fear of jeopardizing their status as equal members of society and the resulting need to constantly prove their patriotism." [p. 55]A report by Dr. Edward Pinsky for the American Jewish Commission on the Holocaust echoes the assimilationists' theme. He explains that the upper-class members of the JDC were willing to diligently influence American policy but not oppose it. They refused to enter into any action which would make them distinctive.

Most historians accept the facts behind Kranzler's condemnation of the Zionists. The Zionists dominated American establishment politics during the war, effecting the diversion of essential money and energy from rescue efforts. Wyman relates that once the Biltmore plan was voted in and Jewish leaders committed themselves to the goal of statehood, unified action by American Jewry was no longer possible. Rescue occupied the bottom of the Zionist's agenda, if it appeared at all.

Kranzler himself recognizes that not all Zionists ignored rescue efforts. He notes the activities of the Bergson group and credits Rabbi Weissmandl's close associated Gizi Fleischmann, herself a Zionist, with significant rescue work. Bela Vago, a professor of General History at the University of Haifa, reluctantly corroborated the charge levied against Ben-Gurion and the other Yishuv leaders for their indifference in saving the Talmudic Jews of Eastern Europe. Vago attests that Ben-Gurion's top priority lay with the building of the Yishuv and that the leaders in Eretz Yisrael failed to fully exploit the rescue opportunities presented to them. Although this indictment of the Zionist leaders explains Agudath Yisrael's opposition to the establishment of the State of Israel in 1948, the narrative of the Jewish struggle during the Holocaust itself provides eloquent testimony to the need for a Jewish State. It is not clear whether a more concerted and dedicated effort on behalf of influential Jews would have loosened Roosevelt's tight immigration policy. Nor is it clear how many Jews could have been saved by successful ransom efforts or where they would have gone, or what guarantee there would have been against similar situations arising in the future. It is clear that until 1942 the Nazis only wanted the Jews out of Germany, and that even after that they were willing to sell them; no one was willing to take them in. In this regard, the State of Israel with its Law of Return has and will continue to serve the commandments of *pikuach nefesh* and *pidyon shvuyim*.

David Kranzler tells an inspiring story of religious heroes during the Holocaust. He convincingly explains how the observant community, with its well organized and dynamic leaders, won unusual successes during this black period in our history. Some will take David Kranzler's account as a call to place extra barriers against the evils of assimilation, but I learn a different lesson. Potential allies are found in any Jewish group that believes in the commonality of fate that binds all Jews regardless of their personal convictions. The cooperation between the rabbis of the Vaad Hatzalah and the Bergson group is an inspiring example of what can develop when Jews join to save their people. Today's activists can find inspiration in the Agudath

Israel's success in raising public awareness and affecting government policy through demonstrations. Kranzler relates the gratifying results from the march on Washington by four hundred white-bearded rabbis. Wyman tells how the mass demonstrations at Madison Square Garden, when the Jewish community was still united early in the struggle, put pressure on Roosevelt's closed door policy.

In a recent lecture, someone asked Dr. Kranzler how he felt we should handle the Holocaust of the eighties, namely Soviet Jewry. He answered that it is easier to be a historian than a prophet and then deferred the issue to the great rabbis of our generation. Agudath Israel, which once led the Jewish community in Torah-inspired activism when our brethren cried from the fires of Europe, now forbids their yeshivot from joining with the community at large in Washington to save our brethren behind the Iron Curtain. I ask, if history does not serve as limited prophecy, of what use is it?

HAMEVASER

CONGRATULATES

Jeremy Wieder
Chatan haTanakhfor his
first place finish
in the
International
Bible Contest.May his
accomplishment
inspire us all to
rededicate
ourselves to
the study of
Tanakh

Talmud Torah—Participating in the Process

By Beth Zuckerman

Torah study necessitates establishing a proper curriculum. The Talmud (*Kiddushin* 30a and *Avodah Zarah* 19b) sets specific guidelines: a person should divide his day equally among *mikra* (Bible), Mishnah, and Talmud. Rambam, in his quote of the Talmudic source (*Hilchot Talmud Torah* 1:11), deviates from the Talmudic text, replacing the words Mikra and Mishna with *Torah Shebichtav* and *F'orah Shebaal Peh* respectively. His third category is *Gemara* an intensive process of derivation and understanding: "*Ehavin davar metoch davar*". Rambam believes that the distribution applies only to beginners; upon mastering the first two pursuits one should devote all his time to the theoretical realm, Talmud.

In a similar vein, Maharsha (*Avodah Zarah* 19b) deduces from *Avot*: "...*ben chamesh lemikra, ben eser lemishna...ben chamesh esreh le Talmud*" that despite the Talmud's command, a person should devote himself from age fifteen almost entirely to Talmud study. Only a small amount of time should be spent studying mikra and mishna daily; *parshat korbanot* and *mishna ayezu mekoman* suffice.

The Mordechai (*Kiddushin* 30b) also opts for a less literal interpretation of the Talmudic text. He derives from *leolam yishalesh* (loc. cit) that one should read the *korbanos ayezu m'koman* and 13 *midot de Rabi Yishmael* daily, but spend the rest of his time learning Talmud.

Rabeinu Tam (*Tosafot Avodah Zarah* 19b and *Sanhedrin* 24a) also finds Talmud the essence of the Jewish curriculum, but bases his conclusion on a passage in *Sanhedrin* (24a) which defines *Bavli* as "*bulah b'mikra, bulah b'mishna, bulah b'talmud*". Rabeinu Tam comments that those who study *Talmud Bavli* need not actively divide their study time between *mikra*, Mishna, and Talmud, as Talmud

encompasses everything. Nevertheless, one should read *parshat tamid*, *ayzehu mekoman*, and *Rabi Yishmael omer* every day.

Later *poskim* also emphasize and accentuate the study of Talmud. The *Shulhan Aruch* (*Yoreh Deah* 246:4) quotes Rambam's statement that only a beginner should divide his study time; one who has mastered *tanach* should devote all his time to Talmud. The *Ramah* (*Yoreh Deah* 246:4) cites Rabeinu Tam that one suffices with the study of Talmud (*Bavli*) exclusively because it is *balul*.

Not all great Jewish thinkers agreed on the centrality of Talmud study. Spiritualists, *Rabbalists*, philosophers, *chasidim* and *baalei mussar* were not necessarily in favor of an unadulterated Talmud curriculum. Isadore Twersky (*Studies in Jewish Law and Philosophy* p207) writes, that for some thinkers "The centrality, universality, (and) indispensability of Talmudism are readily recognized, but hierarchial superiority is rigorously reserved for a meta-halakhic preoccupation." Rambam himself in the *Guide to the Perplexed* (III,51) writes that in order to approach God one must "speculate concerning the fundamental principles of religion" in addition to studying the law. Rambam's point grants that if one's Talmud includes such discussions one need not turn to other sources of study.

Although many *poskim* suggest concentration on Talmud study, proficiency in Mishna and Tanach are the obvious "co" if not pre-requisites. J. Bieler (in "A Convention Colloquium on Teaching Talmud to Women" in *Ten Da'at* Vol. II no. 2 p. 19) quotes Rabbi Herschel Schachter that "education heavily weighted in *Tanach, Dinim, and Hashkafa*" is more fundamental and appropriate as an introduction to Judaism than exclusive Talmud study. He maintains, in accordance with the *Mishna* in *Avot*, that Talmud study should begin

at age fifteen.

Nevertheless the consensus is clear. We enshrine Talmud above all other disciplines. Why should Talmud receive such attention?

Rambam (*Hilchot Talmud Torah* 1:11) doesn't provide a reason for abandoning the threefold distribution method and adopting Talmud as the main focus of study. The *Kesef Mishna* (*Hilchot Talmud Torah* 1:11) suggests that more time is devoted to Talmud simply because it requires more time to master than *mikra* and *mishna*. This argument is unconvincing. It fails to explain the metaphysical centrality of Talmud assumed for generations.

One authority (*Hakdamah Lemaaseh Aifod*) writes that Talmud study provides the student with great intellectual challenge. Man's intellect is what separates him from animals. Thus, in order for a person to elevate himself he should engage in intellectual pursuits that sharpen his *sechel*. According to this authority, Talmud is certainly a fine tool for sharpening the mind. But one could adroitly argue that *Tanakh*, philosophy, math or science are equally rigorous. Hence, this authority stresses that it is also essential that one develop a love for mitzvot. Part of developing a true love for the mitzvot is understanding them, and this comprehension can only stem from the study of Talmud. Intellectual challenge and *d'vekut bahashem* are certainly added benefits from Talmud study, but they are like dessert, not the entree.

Dr. Chaim Soloveitchik (as quoted by J. Bieler in "A Convention Colloquium on Teaching Talmud to Women" in *Ten Da'at* Vol. II no. 2 p. 19) asserts that "familiarity with *Gemara* allows entry into traditional Judaism" because classical Jewish writing is written in the style of the *Gemara*; more importantly, true Talmud learning "trains the mind to rigorously follow an argument, draw correct inferences, and develop inductive reasoning in

systematic fashion."

Isadore Twersky (*Studies in Jewish Law and Philosophy* p204) attributes what he calls "Talmudism" to the "halakocentric nature" of Judaism. "Talmudic lore is the prerequisite for and the source of religious performance." The Ibn Ezra (*Yesod Mora* I) comments that "...from Talmud do we know all the commandments." Although this is a cogent observation, we must note that the Ibn Ezra lived before the existence of codes of law. Today one could conceivably learn all the commandments by studying *Shulchan Aruch* with its commentaries. In fact the *D'risha* (*Yoreh Deah* 246:) comments that if one can devote only three to four hours a day to study, he should study *sifrei psak* such as the *Rif*, *Mordechai*, and *Rosh* because halakha is the essence of our Torah and cannot be deduced from learning Talmud. He claims that Rabeinu Tam's dictum that one should study only Talmud refers to a person who learns nine hours a day or more, and thus has more of an opportunity to glean insights from the Talmud.

It is difficult to argue for the centrality of Talmud study simply because it provides practical knowledge for everyday practice. Perhaps Twersky is referring to a deeper idea that Dr. Soloveitchik alluded to as well. Talmud study is important because it provides the student with an understanding of the halachic process. By simply studying a code of laws, one cannot appreciate the care, precision and discussion invested in every decision. Indeed, one might be misled into thinking that halakha is simply arbitrary. Learning Talmud, by contrast, almost thrusts the student into the halachic system, including him in the decision making process. Exposed to the many disagreements that exist in halachah, he comes to realize that halachah is not one-dimensional. Through this greater involvement in the halachic system, a person can truly grow to understand and love *shmirat hamitzvot*.

SHAVUOT

Leaping Without Looking

by David Glatt

The advent of *Shavu'ot* brings to mind the two words uttered by *Benei Yisrael* that embody the very essence of the holiday. When *Moshe Rabbenu* conveyed to the Jewish people G-d's offer to present them with the Torah, they replied "na'aseh venishma"—we will do and we will listen.

People often interpret this terse but powerful statement as a declaration of blind faith. The Jews told G-d that they would heed His word regardless of whether they understood His reasoning because they believed and trusted in Him. But this view is oblivious to the depth of their statement and to the impetus behind it. After all, how can one talk of blind faith at *Har Sinai*? Of course the Jews trusted G-d! They had witnessed the parting of the Red Sea just six weeks beforehand!

Rather, *na'aseh venishma* reveals great insight and understanding. Hashem, when He initiated *Brit Sinai*, wanted a commitment not merely of belief but of action. Rav Yosef Dov Soloveitchik explains that the *Sinai* Covenant demanded a specific way

of life: *B'nei Yisrael* understood that a relationship with G-d entailed action as the primary level of association. Their declaration was not a negation or diminution of the importance of understanding but rather a correct comprehension that Hashem desired a pledge of deed.

Rav Soloveitchik further clarifies *na'aseh venishma* by examining the spiritual reservoir from which the Jews drew to make their commitment. He turns to the *Zohar* for an explanation of the two components inherent in man's will—the two driving forces behind *na'aseh venishma*.

Kabbalah recognizes a higher lower will—*ratzon elyon* and *ratzon tachton*. The lower will is practical, pragmatic, analytical—the calculating intellect. The higher will acts spontaneously, on the basis of internal and unknowable spiritual drives. It renders the major decisions in man's life, prompted by an inner vision, an insight of the part of man most closely related to Hashem—the *izelem Elokim*. After the higher will makes its sudden and bold decision, the lower will clarifies and plans the imple-

mentation of the decision. Rav Soloveitchik believes that the *ratzon elyon* transcends the limited focus of *ratzon tachton*, which concerns itself only with the obvious, the factual, the measurable. The *ratzon elyon*, in contrast, strives towards the spiritual, the ideal.

Hence, *na'aseh*—the primary thrust of Israel's commitment—flowed from much more than blind faith. It drew upon the irrational but powerful vision of *ratzon elyon*. *Benei Yisrael* intuitively understood that by accepting the Torah they were binding themselves to deed rather than dogma. Their commitment stemmed from something deeper than the intellect, and therefore represented a stronger, more spiritually motivated promise.

The Talmud (*Shabbat* 88a) recognizes the profundity of the Jews' declaration. It relates that after Israel answered *na'aseh venishma*, a *bat kol* cried out "who revealed the secret of the angels to *Benei Yisrael*?" The angels, clearly closer to G-d than man, know instinctively to perform His commands and only afterwards try to comprehend

them. In uttering *na'aseh* first, *Benei Yisrael* acted angelically.

The Talmud on *Shabbat* 88a also records that the angels awarded two crowns to Israel—one for *na'aseh* and one for *nishma*.

In Rav Soloveitchik's view, the first crown corresponded to *ratzon elyon* and the second to *ratzon tachton*. He emphasizes that *nishma*—the secondary level of rational understanding—also played a role at *Har Sinai*. The Jews did not disregard their reason; rather, they transcended it with a leap of faith, propelled by the *ratzon elyon*. Unquestionably, rationality must reinforce the radical decisions of the higher will.

This explanation of *na'aseh venishma* dispels the notion that Israel acted as "know-nothings"—that they committed themselves to a covenant without knowing what they were doing. True, they did not yet comprehend the details of *Brit Sinai*.

But they intuitively knew, with the utmost certainty, what they were choosing—*Ma'aseh*.

Shavuot By Any Other Name

By Yitzchak Blau

Cheesecake, the Book of Ruth, learning all night. We often jumble *Yom Tov's* images, forgetting that while some are integral parts of the festival, others reflect customs of later origin. Tradition views *Shavuot* as a commemoration of *matan Torah*. However, scholars cite the absence of any reference to such an interpretation in Philo and Josephus as evidence that *Shavuot* was originally an agricultural holiday. When the agricultural motif lost its significance for the people, *matan Torah* was adopted as the theme for *Shavuot*.

The Torah refers to *Shavuot* as the harvest festival, *yom ha-bikkurim* and the festival of weeks, but not once mentions a connection with *matan Torah*. Avramel (on Leviticus 23) explains that *Shavuot* actually commemorates the harvest; the revelation at Sinai happened to take place on the day set for the holiday. His contemporary, Yitzchak Arama (*Akedat Yitzchak* on *Emor*), argues that *matan Torah* is an integral part of *Shavuot*. The Torah chose not to convey this expressly to indicate that Torah cannot be limited to a particular day but rather must be a continuous process.

Several rabbinic sources seem to support Arama's view. One opinion on *Megilla* maintains that the *kriya* for *Shavuot* is "*bachodesh hashlishi*", the *parasha* discussing *matan Torah*. Even the opinion that the *kriya* is "*shiva shavuot*" believes that the *haftara* is Habakkuk 3, which deals with a gathering of Jews at Sinai. Presumably, the obligatory *kriya* reflects the nature of the day to which it is assigned. Every *kriya* of *Yom Tov* other than that of *Shavuot* either refers directly or is thematically related (*Vashem pakad* to *Rosh HaShana*) to its *hag*.

Rabbi Eliezer (*P'sachim* 68b) states that all agree that *Shavuot*, as the commemoration of *matan Torah*, has an aspect of "*lakhem*". "*Lakhem*" requires eating and drinking for *simchat Yom tov*. It tells us not how to spend our *hag* but rather how to accomplish *simchat Yom tov*. Only things inherently significant to the *hag* would affect this requirement.

As *Aharonim* have tried to prove the traditional view of *Shavuot* from *Yerushalmi Rosh HaShana* (4:8), which states that

the word "*chatai*" (sin-offering) is absent in the context of the sacrificial *kid* of *Shavuot* as a *zekhut* for accepting the Torah. But while this indicates that a tradition that *matan Torah* occurred on *Shavuot* existed, the *kid* brought on *Shavuot* was certainly a *hatai*, as were its counterparts on *Pesach* and *Sukot*; the *Yerushalmi* was merely expressing reverence for the Torah.

Festival prayers are also indicative of each *chag's* particular nature. *Z'man chaitraitinu* relates not only something that occurred on *Pesach* but also the very essence of *Pesach*. Similarly, the Rambam and *Tur* have "*z'man matan torateinu* as the correct wording of the *Shavuot* prayer. However, the earliest source on this topic (*Masekhet Sofrim* 19:4) has the text "*chag haShavuot hazeh*" without any notice of *matan Torah*.

Rav Dovid Zvi Hoffman in his commentary on "*Leviticus*" (pp. 158-168) brings numerous proofs of *matan Torah's* connection to *Shavuot*, two of which are particularly noteworthy. *Parashat hachagim* in *Emor* discusses *Pesach* and *Shavuot* in a single unit, indicating a relationship between them. *Sefirat Haomer* manifests this theme. The traditional view sees acceptance of the Torah as the culmination of the formation of *am yisrael* begun at the Exodus. As a purely agricultural festival, *Shavuot* has no greater connection with *Pesach* than *Sukot*.

Secondly, the Torah considers the three pilgrimage festivals as parallel, always mentioning the three together. Just as *Pesach* and *Sukot* have historical as well as agricultural significance, so should *Shavuot*. Rav Hoffman explains that the lack of mitzvot reflecting this theme (e.g. *matzah* or *y'shivat sukkah*) stems from the inability to represent receiving the Torah via mundane symbols.

While some sources support the traditional view, we can well ask if *matan Torah* actually took place on *Shavuot*. No specific date is recorded for it in the Torah beyond the fact that their arrival at Sinai took place "*bachodesh hashelishi...b'yom hazeh*" (Exodus 19:1). But even those who pride themselves on their adherence to *pshei* (*Shadal* and *Cassuto*) agree with the Talmud's (*Shabbat* 86a) of "*b'yom hazeh*"

as *Rosh Chodesh*. Prior to Israel's reception of the Torah came a message from God regarding the role of *klal yisrael*, a warning against touching the mountain and at least two days of purification. Thus neither Rav Yose's view (seventh of Sivan) nor the *Rabanan's* (sixth of Sivan) conflict with the simple reading of the text.

The *Magen Avraham* (Orach Chayim 494:3), questioning the traditional view, claims that Rav Yose's opinion leads to the conclusion that *matan Torah* and *Shavuot* occurred on different days. Many have pointed out the simple objection to his question. The sixth of Sivan has no inherent significance. *Shavuot* falls fifty days after the *korban haomer* and could be on the fifth or seventh of Sivan as well. His second question is not as easily dealt with. The Talmud (*Shabbat* 86a) says that the Jews left Egypt on a Thursday and received the Torah on *Shabbat*. If the first day of the count was a Friday, the *Shabbat* of *matan Torah* was the fifty-first day and not *Shavuot*.

Pirkei d'Rabbi Eliezer (Chapter 46) says that *matan Torah* was on a Friday; our tradition may be based on this view. However, the central source discussing the date of Revelation seems to deny a connection between *Shavuot* and *matan Torah*. Rav Goren in his *Torat HaMo'adim* uses a *Tosafot* (*Avodah Zarah* 3a) to deal with this. The Talmud (*A.Z.* 3a) relates a deal God made with the sixth day of Sivan that made man's continued existence dependant on *yisrael's* acceptance of the Torah. *Tosafot* points out that as the sixth is a meaningless day for Rabbi Yose, *matan Torah* must have been planned for a day earlier than it actually took place; a day went by without any communication with God to allow the people a chance to rest from their journey. Thus *matan Torah* was actually planned for the fiftieth day of the omer, *Shavuot*. Rav Goren's answer is not very satisfying; historical significance is based on actual occurrences, not what should have been.

Rav Hirsch explains that on *Shavuot* we celebrate not the receiving of the Torah but rather the nation's worthiness to receive it. Following travel through the desert, days of purification and communication

with God, the Jewish people reached their spiritual apex.

The traditional view of *Shavuot* as the time of *matan Torah* certainly existed in Talmudic times, and there is no clear evidence of a dissenting opinion. In any case, *Shavuot* gives us the chance to express our joy at serving, understanding and communicating with God through the medium of Torah.

Rave Review

The third issue of the National Jewish Law Review, the only English Law Journal to publish articles comparing Jewish and American Law, has recently been published. Articles have dealt with such issues as negligent homicide, surrogate motherhood, artificial insemination, Caustion in Jewish tort law, computer privacy in Jewish law and more.

This year's executive board (all Y.U. alumni) consisted of Linda Reiss, editor-in-chief, Cardozo Law School; Michael J Broyle, executive editor, N.Y.U. Law School, and R.I.E.T.S. semicha student; Ben Kaufman, Senior Articles Editor, Cardozo Law School; and Esther Kaufman, Managing Editor, Cardozo Law School. Other Y.U. alumni who worked on the Review include Yossi Prager, Yale Law School, Meyer Muschel, Columbia Law School, and Russel Adler, N.Y.U. Law School. Contributing authors include Dr. Aaron Levine, Irwin Haut, and Emanuel Rackman. All articles extensively analyze Jewish and American law or various topics of interest. Y.U. students can receive the current issue for a discount price of \$8.00. All those interested in obtaining a review please send a check to:

National Jewish
Law Review
95 Madison Ave.,
suite 401
New York, N.Y. 10016

HAMEVASER

Rabbi Isaac Elchanan
Theological Seminary
2540 Amsterdam Ave.
New York, N.Y. 10033

Non-Profit Org.
U.S. POSTAGE
PAID
New York, N.Y.
Permit No. 4729