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DEVOTED TO THE INTERACTION
BETWEEN JUDAISM AND GENERAL CULTURE

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At this time of transition

for Yeshiva University,

we extend profound gratitude to

President Richard Joel

for his extraordinarily creative

and dynamic leadership.

We also extend our best wishes

to his successor

Rabbi Dr. Ari Berman

a stellar exemplar of Torah u-Madda

whose multifaceted talents

will, be-ezrat Hashem,

ensure that Yeshiva

thrives and progresses

me-ḥayil el ḥayil.

לזכר עולם

This is the first issue of *The Torah u-Madda Journal* published since the passing of

Rav Aharon Lichtenstein zẓ"l

in the spring of 2015. Rav Lichtenstein's powerful advocacy of *Torah u-Madda*—expressed often in his overwhelming output of *Torah she-bikhtav* and *Torah she-be-al peh*—charted a path for its adherents and had an incalculable impact on Yeshivat Har Etzion, on Yeshiva University, and on Orthodoxy worldwide.

Rav Lichtenstein will be remembered as a beacon of both *halakhah* and *maḥashavah*; a *Sinai* and an *oker harim*; a *gadol* of extraordinary vision and an equally extraordinary grasp of subtle and intricate details; and a giant in both intellect and character. There is virtually no topic in Jewish life that he did not address, and nothing in his *shiurim*, writings, and conduct from which we cannot learn. More than one thousand works of his have appeared in print, either from his own pen or from those of students adapting his *shiurim* and *siḥot*; and we have as well, especially now, many a *ma'aseh rav*, a wealth of awe-inspiring anecdotes.

May the life and work, the aspirations and achievements, of this singular leader continue to guide us through complex and often unprecedented challenges, and enlighten the generations to come.

יהי זכרו ברוך

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Instructions for Contributors

~ *The Torah u-Madda Journal* publishes articles that either (1) address the question of Judaism's relationship to general culture, whether in the broad sense or in the context of a specific discipline or field; or (2) exemplify the integration of Jewish and general knowledge in the treatment of a specific topic.

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MORDECHAI Z. COHEN

"Reproducing the Text":

*Nehama Leibowitz on Traditional Biblical Interpretation (*Parshanut ha-Mikra*) in Light of Ludwig Strauss's Literary Theory*

About sixty years ago, Nehama Leibowitz (1905-1997) penned what would become one of her most fundamental programmatic essays, "How to Read a Chapter of *Tanakh*."[1] First delivered as a lecture in memory of her mentor Ludwig Strauss (1892-1953), it

1. Nehama Leibowitz, "How to Read a Chapter of *Tanakh*" (Hebrew), in *Nefesh ve-Shir: In Memory of A.L. Strauss* (Hebrew) (Jerusalem, 1954), 90-104. Citations from that essay will be from the English translation by Moshe Sokolow, "How to Read a Chapter in *Tanakh*," in Sokolow, *Nehama Leibowitz on Teaching Tanakh: Three Essays* (New York, 1986), 1-13, with slight adjustments.

MORDECHAI Z. COHEN is Professor of Bible and Associate Dean of the Bernard Revel Graduate School of Jewish Studies at Yeshiva University. He has authored seminal studies on Jewish biblical interpretation in its cultural settings and its interface with Arabic poetics, Muslim jurisprudence, and modern literary approaches to the Bible. His published volumes include: *Three Approaches to Biblical Metaphor: From Abraham Ibn Ezra and Maimonides to David Kimhi* and *Opening the Gates of Interpretation: Maimonides' Biblical Hermeneutics in Light of His Geonic-Andalusian Heritage and Muslim Milieu*, both published by Brill Academic Press. In 2010/11, he directed a semester-long collaborative research project comprising fourteen leading scholars from the U.S., Europe, and Israel at the Institute for Advanced Studies at the Hebrew University of Jerusalem. The results have been published in the volume he co-edited with Adele Berlin, *Interpreting Scriptures in Judaism, Christianity, and Islam: Overlapping Inquiries* (Cambridge University Press, 2016).

drew upon his teachings, which emphasized the subjective, singular ("one time") dimension of reading a literary text in the spirit of what was known in contemporary theory as the New Criticism. During the second half of the twentieth century, a number of Bible scholars applied the New Criticism to open new interpretive vistas that uncover the subtleties of biblical narrative and poetry.[2] At first glance, the literary theory applied by Strauss—formulated for the analysis of secular literature—seems inimical to traditional Bible interpretation, which operates under different assumptions about sacred scripture. Yet Nehama (as Leibowitz was affectionately known) argued that her teacher's literary outlook illuminates the theoretical conceptions underlying the exegetical work of the great Bible commentators of Jewish tradition.[3]

The New Criticism and Tanakh

Ludwig Strauss was a German literary scholar who reconnected with his Jewish roots through his close association with Martin Buber, whose daughter Eva he married. Strauss immigrated to Israel in 1935, having been removed from his Aachen university position by the Nazis. In Israel, he mastered Hebrew and became an influential Hebrew poet and literary critic. Strauss applied the New Criticism to Hebrew, German, French, and English literature, after which he used similar methods to analyze the Bible.[4] It is not clear whether Nehama knew Strauss already in Germany (having herself immigrated to Palestine in 1930), but she certainly came to regard him as her mentor in the 1940's, when they taught together in Jerusalem.[5] The collegial bond between them was profound, and Nehama made substantial contributions to the posthumously published collection of Strauss's essays, titled *Studies in Literature*, a project initiated by Buber. Nehama took upon herself the

2. The literature on this subject is vast. For a few representative samples, see Robert Alter, *The Art of Biblical Narrative* (New York, 1981); idem, *The Art of Biblical Poetry* (New York, 1985); Robert Alter and Frank Kermode (eds.), *The Literary Guide to the Bible* (Cambridge, MA, 1987); Meir Weiss, *The Bible from Within: The Method of Total Interpretation* (Jerusalem, 1984).

3. On the issue of whether treating Bible as literature is religiously appropriate, see Shalom Carmy, "Is Sophocles Literature? Is Anything Not? On the Way to Ramban," *Tradition* 47:3 (Fall 2014): 1-7.

4. See Aryeh Ludwig Strauss, *Studies in Literature* (Hebrew), ed. Tuviah Ribner (Jerusalem, 1959).

5. Hayuta Deutsch, *Nehama: The Life of Nehama Leibowitz* (Hebrew) (Jerusalem, 2008), 128-31.

responsibility of editing two important chapters that Strauss dictated to her on his deathbed. In addition to the chapter on Psalms, Nehama produced the introductory chapter, in which Strauss articulates his literary theory and which reflects his allegiance to the New Criticism.[6]

A principle that would later become characteristic of Nehama's work can be found in the following words that she penned based on Strauss's dictation:

> [In] the language of poetry . . . word and content are bound together . . . in a living and essential connection . . . [and therefore] the value of the [poetic] word is unlike its value in non-artistic language, and content that is transferred to other words is not the same content that it was at first.[7]

Echoing the famous New Critical notion of the "heresy of paraphrase," Strauss argued that the form and content of a literary text are integrally linked; a mere paraphrase of the content therefore does not truly capture its meaning.[8]

Nehama's article "How to Read a Chapter of *Tanakh*" emphasizes the related principle that a proper act of reading is nothing less than the completion of the literary creation, which brings it from potentiality to actuality. In Strauss's language, "A [literary] creation does not exist fully . . . until it has a reader . . . who brings forth its reproduction with the materials of his voice and spirit."[9] These words, which echo a central principle of what came to be known as Reader Response Criticism, emphasize the subjective element of interpretation, which is not purely objective, scientific analysis. Since the goal of reading a literary text is not merely to extract its content, but rather to uncover the potential emotive overtones of its unique wording and explicate how they color the content, it is necessarily the reader who endows the text with meaning. As Strauss remarked:

> The relationship of the letters to the living creation is like the relationship of the architect's plan to the completed house. The reader builds only according to the plan, but he builds with materials of his voice and spirit.[10]

6. See Strauss, *Studies in Literature*, 12 (editor's note). On Strauss's application of the New Criticism to the Bible, see Weiss, *Bible From Within*, 38, and below nn. 8 and 9.
7. Strauss, *Studies in Literature*, 16.
8. See Weiss, *Bible From Within*, 21-24.
9. Strauss, *Studies in Literature*, 16. On the parallels in New Critical theory, see Weiss, *Bible From Within*, 17-21.
10. Strauss, ibid., 16; translation from Weiss, ibid., 18.

Meir Weiss and other scholars have applied this principle in their close readings of Hebrew scripture.[11] This essay aims to demonstrate that the "heresy of paraphrase" principle, as well as Strauss's related notion of textual "reproduction," likewise illuminate traditional Jewish biblical commentary (*parshanut ha-mikra*), as expounded by Nehama Leibowitz.[12]

An immediate difficulty, however, poses itself when we consider the following question: Don't the principles of New Criticism, as articulated by Strauss, effectively blur the distinction between *peshat* (the "literal," "straightforward," or "plain" sense[13]) and *derash* (homiletics), a distinction with which our great commentators grappled? By emphasizing the subjective dimension of reading, doesn't Strauss legitimize interpretations that have scant textual basis?[14] Nehama gave thought to this question in the above-cited programmatic essay, as she writes in her typical fashion at its very opening:

> "How to Read a Chapter of *Tanakh*." This topic that I formulated as a title seems to me—now that I see it printed on the galley sheets—to be unparalleled frivolity. Not only because it is not up to me to teach people how to read *Tanakh*, since I have not been entrusted with the keys to this book. Rather, because it is doubtful, in general, whether an individual

11. See n. 2 above.

12. On the promise held in the application of modern literary theory to the study of *parshanut ha-mikra*, see Adele Berlin, "On The Use of Traditional Jewish Exegesis in the Modern Literary Study of the Bible," in *Tehillah le-Moshe: Biblical and Judaic Studies in Honor of Moshe Greenberg*, ed. Mordechai Cogan, Barry L. Eichler, and Jeffrey H. Tigay (Winona Lake, IN, 1997), 173-83.

13. It was once common to simply render *peshat* as "the literal sense." However, much attention has been paid to this complex notion in recent scholarship, which has led to more nuanced definitions. See Mordechai Z. Cohen, *Opening the Gates of Interpretation: Maimonides' Biblical Hermeneutics in Light of His Geonic-Andalusian Heritage and Muslim Milieu* (Leiden, 2011), 15-17; Sara Japhet, "The Tension Between Rabbinic Legal Midrash and the 'Plain Meaning' (*Peshat*) of the Biblical Text," in *Sefer Moshe: The Moshe Weinfeld Jubilee Volume*, ed. Ch. Cohen, A. Hurvitz, and Sh. Paul (Winona Lake, IN 2004), 403-25; Sarah Kamin, *Rashi's Exegetical Categorization In Respect to the Distinction Between Peshat and Derash* (Hebrew) (Jerusalem 1986), 11-22; Baruch Schwartz, "On *Peshat* and *Derash*, Bible Criticism, and Theology," *Prooftexts* 14 (1994): 72-76; see also below n. 30.

14. In the words of Meir Weiss, "Does not this theory of interpretation involve the danger of arbitrariness, of excessive subjectivity, and of all kinds of anachronisms?" (*Bible From Within*, 18). Indeed, the point has been made that some modern literary readings of Scripture bear resemblance to Midrash. See James Kugel, "On the Bible and Literary Criticism," *Prooftexts* 1 (1981): 217-36; Adele Berlin, "On the Bible as Literature," *Prooftexts* 2 (1982): 323-27; idem, "Literary Exegesis of Biblical Narrative," in *Not in Heaven: Coherence and Complexity in Biblical Narrative*, ed. Jason Rosenblatt and Joseph Sitterson, Jr. (Bloomington, 1991), 120-28; 240 n. 23; see also below n. 19.

> can dictate a reading process for the broad community. Shouldn't each individual attempt to work out his own reading, suitable to his spirit and soul?
>
> . . . Ludwig Strauss taught us, according to the formulation of Nathan Rottenstreich, that true reading is: "The completion of the work [of literature], as though it were taken from the potential to the actual." Reading a poem is: "A reproduction which the reader accomplishes by means of his voice and spirit." It is true that the reader is bound by means of the printed word. He does not, however, merely absorb it into his spirit; he gives it expression from within his soul in order to bring the letters to life.[15]

Nehama goes on to invoke Strauss's analogy of writing and reading to architecture and building respectively, to which she adds:

> The responsibility for rebuilding the book anew belongs to the builders themselves according to the instructions of the book and by means of the material of their voices and souls, in which they differ one from the other just as their appearances differ.[16]

Nehama offers the following solution, which defines objective standards for literary analysis:

> If, in spite of this, we are still trying to teach reading, our justification is that the instructions given to the builder (that is, the architect's blueprint, with all its clauses, words, and letters) are the precise, given, objective facts which impose authority. It is towards the understanding of these and to the acceptance of this authority that we wish to lead the reader, and this is what our teacher Ludwig Strauss taught us in his lectures.[17]

The authority of the text is a key element of *peshat* interpretation.[18] Nehama endows it with a creative element by aligning the interpretation of *Tanakh* with the New Criticism.[19]

Rashi in Light of The New Criticism

Nehama's literary orientation underlies her indefatigable commitment to Rashi. According to his own words, Rashi is committed to

15. Leibowitz, 90; English trans., Sokolow, 1.
16. Ibid.
17. Leibowitz, 90; English trans., Sokolow, 1-2.
18. As Ibn Ezra at times remarks, "We pursue Scripture." See below at n. 51.
19. The notion that the reader completes the text has been used quite fruitfully to analyze the dynamic—and more obviously creative—hermeneutics of Midrash. See Joshua Levinson, "Dialogical Reading in the Rabbinic Exegetical Narrative," *Poetics Today* 25 (2004): 497-528; idem, *The Twice Told Tale* (Hebrew) (Jerusalem, 2005).

peshuto shel mikra (the *peshat*, or "plain sense" of Scripture); but this seems incongruous with his regular use of midrashic material. Much ink has been spilled in recent scholarship over this dilemma, often focusing on Rashi's famous programmatic statement (Gen. 3:8):

> There are many midrashic *aggadot*, and our Sages have already arranged them in their appropriate place in *Genesis Rabbah* and in other Midrashim. But I have come only to convey *peshuto shel mikra* (the *peshat* of Scripture) and the *aggadah* that conforms to [*meyashevet*, lit. "settles"[20]] the words of Scripture, each word in its place.

This statement and others like it seem, at first glance, to present Rashi's goal—*peshuto shel mikra*—in contradistinction to the "midrashic *aggadot* . . . [of] our Sages." Indeed, as Sarah Kamin has shown in her classic study of Rashi's methodology, he does at times clearly demarcate the two categories in what Kamin terms the "double interpretation," which includes one labeled *peshuto* ("its *peshat*") and the other *midrasho* ("its *midrash*").[21] The problem is that Rashi usually offers only single explanations—drawn from midrashic exegesis. Kamin solves this conundrum by pointing to the remainder of Rashi's programmatic statement, which indicates his desire to incorporate into his commentary "the *aggadah* that 'settles' the words of Scripture, each word in its place." Kamin concludes that Rashi never intended to limit himself to *peshat*; his goal was to compose a commentary drawn largely from midrashic sources that fit with the syntax and context of—or, as Rashi puts it, "settles"—the language of Scripture.[22] By contrast,

20. See below n. 22.

21. Kamin, *Rashi's Categorization*, 158-208. In his review of Kamin's work, Eleazar Touitou (*Tarbiz* 56 [1986]: 447) argues, based on manuscript evidence, that at least some of the "double commentaries" may have been the result of glosses added by Rashi's students. In other words, Rashi himself gave only one interpretation without any methodological label, and this was later augmented with another, which was differentiated by the label *peshuto* or *midrasho*. For another approach to the "double commentary" phenomenon, see Amnon Shapira, "Rashi's Twofold Interpretation (*Peshuto* and *Midrasho*): A Dualistic Approach" (Hebrew), in *The Bible In Light of Its Interpreters: Sarah Kamin Memorial Volume*, ed. Sara Japhet (Jerusalem, 1994), 287-311.

22. Kamin, *Categorization*, 57-110. The quotation is from p. 110. On the term *meyashevet*, see pp. 71-74. A different approach to this matter is taken by Benjamin Gelles, who argues that Rashi indeed endeavored to establish a clear demarcation between *peshat* and *derash*. See Benjamin J. Gelles, *Peshat and Derash in the Exegesis of Rashi* (Leiden, 1981), 27, 33, 42. Cf. Kamin's response in Sarah Kamin, *Jews and Christians Interpret the Bible*, 2d edition, ed. Sara Japhet (Jerusalem, 2008), lxxvii-lxxx.

Rashi's grandson Rashbam, known as a "pure" *pashtan* (practitioner of *peshat*), states, "I have come to interpret the *peshat* of the Scriptures," making no mention of the *aggadah*. Indeed, as Kamin observes, "his commentaries reflect a conception of Scripture as an autonomous unit that must be interpreted—to the extent possible—from within."[23]

Nehama advanced a very different understanding of Rashi's use of midrashic material in his commentaries. Manifesting a New Critical orientation, she argued that proper interpretation—by way of *peshat*—must not be limited to what is stated in the text explicitly, to the "content" alone. Close attention must also be paid to Scripture's choice of words, "to their sequence, to the sentence structure, repetition, parallelism; to everything written—and unwritten."[24] According to the New Criticism, every literary text presents the reader with gaps to fill, and Nehama identified that as Rashi's purpose in using midrashic material in his commentaries.[25] Nehama thus argues that Rashi's concept of *peshat* is wider than that of other *pashtanim*, such as Rashbam; it includes "the *aggadah* that 'settles' the language of Scripture," which she explains with the following paraphrase: "I have come to remove obstacles, to solve difficulties, and not to adorn or beautify or add to Scripture."[26] In Nehama's view, all of this is subsumed under *peshuto shel mikra* (and is not merely midrashic elaboration), which was Rashi's fundamental goal.[27]

23. Kamin, *Categorization*, 263-69. The quotation is from p. 269. On Rashbam's *peshat* methodology as treated in modern scholarship, see Mordechai Z. Cohen, "Rashbam Scholarship in Perpetual Motion," *JQR* 98 (2008): 389-408.

24. Leibowitz, "How to Read," 91; Eng. trans., Sokolow, 2.

25. For a full articulation of this viewpoint, see Nehama Leibowitz and Moshe Ahrend, *Rashi's Commentary on the Torah: Studies in His Methodology* (Hebrew) (Jerusalem, 1990), 354-407.

26. Nehama Leibowitz, "*Darko shel Rashi be-Hava'at Midrashim be-Ferusho la-Torah*," in *Iyyunim Ḥadashim be-Sefer Shemot* (Jerusalem, 1975), 503, cited here (with slight changes) from the English translation by Moshe Sokolow, "Rashi's Method in Citing Midrashim in His Torah Commentary," in Sokolow, *Leibowitz on Teaching* (above n. 1), 39. This interpretation of Rashi's words is criticized by Kamin, *Categorization*, 65-66.

27. It would seem that this orientation inspired Ahrend's critique of Kamin; see Moshe Ahrend, "The Concept of *Peshuto Shel Mikra* in the Making" (Hebrew), in *Kamin Memorial Volume*, 246-53. Ahrend (246) regards as "paradoxical" Kamin's conclusion that although Rashi arrived at a clear and well-developed understanding of the *peshat* method, he did not adhere to it himself. Speaking in Leibowitz's terms, Ahrend (248ff.) argues that Rashi's use of Midrash to go beyond what is written explicitly in Scripture is not inconsistent with his *peshat* method, which includes interpretations required for the sake of a comprehensive understanding of the biblical text, including gap-filling, identification of anonymous people, places, and things, explanation for

It is in this spirit that throughout her writings, Nehama demonstrated Rashi's (intuitive) literary sensitivity, revealing how his close readings bring the biblical text to completion by drawing out unstated implications. For example, on Jacob's words to Laban in Gen. 29:18, "I will serve you seven years for Rachel, your daughter, the younger one," Rashi comments:

> Why [did Jacob add] all of these descriptions? Because he knew that [Laban] was a cheat. He said to him, "I will serve you for Rachel." Lest you intend [to give me] another Rachel from the street, therefore I say, "your daughter." Should you think, "I will change Leah's name and call her Rachel," I say "the younger one." And even after all of that, it did not help [i.e., Jacob was cheated].[28]

This commentary is drawn from *Genesis Rabbah* and might be viewed as a mere midrashic elaboration on what is written explicitly in the text. Indeed, the content is quite clear: Jacob names Rachel as his price for serving Laban. Nehama explains, however, that this does not fully explain the text, since we must still wonder why Jacob added the obvious details about Rachel.[29] Rashi uses the *midrash* to account for this nuance of the language, showing that in his view, Scripture's content cannot be divorced from it style—which in this case reveals Jacob's suspicions in his dealings with Laban.

Neither Rashbam nor Ibn Ezra comment on Jacob's repetitive language. This is not surprising, as their general approach is to avoid attributing meaning to redundancies in the Bible, as commonly done in rabbinic interpretation. Both of these exegetes—often joined by Radak and Naḥmanides, *pashtanim* of the subsequent two generations—justify this reading strategy based on the typically repetitive style of Scripture, which they regarded as an aesthetic or linguistic convention devoid of deeper significance.[30] It seems that behind this explanation lies a deeper

people's actions and speech, etc. Ahrend (253-59), however, does acknowledge that in some cases, Rashi incorporated midrashic material that cannot be deemed *peshuto shel mikra*, and here he agrees with Kamin.

28. Rashi's source is *Genesis Rabbah* 70:17. In this spirit, the expression "*be-Raḥel bittekha ha-ketannah*" ("for Rachel, your daughter, the younger one") is used in Modern Hebrew to pin down someone to make a clear, unequivocal commitment.

29. See Nehama Leibowitz, *Limmud Parshanei ha-Torah u-Derakhim le-Hora'atam* (Jerusalem, 1975), 135.

30. There is a great deal of literature on this aspect of the "pure" *peshat* method represented by these exegetes; see, e.g., Weiss, *Bible From Within*, 37, n. 24; Sara Japhet, *The Commentary of Rabbi Samuel Ben Meir (Rashbam) on the Book of Job* (Hebrew)

motive. Even if one were to concede that Rashi is reacting to a genuine difficulty in the text—as Nehama often argued energetically[31]—how can one guarantee that his interpretation, derived from the *midrash*, resolves it correctly? In other words, was that reading really the intent of Scripture?

This sort of objection is expressed by Maimonides in his hermeneutical discussion of biblical parables (*meshalim*) in the introduction to his *Guide of the Perplexed*. There he argues that in most cases, the deeper meaning of a parable is to be extrapolated from "the parable as a whole," which symbolizes a general idea. Reflecting a formalist aesthetic orientation characteristic of the Andalusian *peshat* school (represented, for example, by Ibn Ezra), he continues:

> In such a parable, very many utterances are to be found, not every one of which adds something to the intended idea. They serve rather to embellish the parable and to render it more coherent, or to conceal further the symbolized idea.[32]

Maimonides was well aware of contemporary interpreters who did not embrace this formalist literary explanation, as evident from the cautionary note that he adds:

> Inquir[ing] into all of the details occurring in the parable . . . would lead you . . . into assuming an obligation to interpret things not susceptible to interpretation and that have not been inserted with a view to interpretation . . . [and] result in extravagant fantasies such as are entertained and written about in our time by most of the sects of the world, since each of these sects desires to find meanings for expressions whose author in no wise had in mind [Arabic, *lam yaqṣid*; lit. did not intend] the significations wished by them.[33]

(Jerusalem, 2000), 55-71; Uriel Simon, "Ibn Ezra," in *Hebrew Bible/Old Testament: The History of its Interpretation*, ed. Magne Sæbø, Menahem Haran, and Chris Brekelmans, vol. 2, *The Middle Ages* (Göttingen, 2000; henceforth *HBOT*), vol. 2, 378-80; Mordechai Cohen, "The Qimhi Family," *HBOT*, vol. 2, 400-06; idem, *Three Approaches to Biblical Metaphor: From Abraham Ibn Ezra and Maimonides to David Kimhi* (Leiden, 2003), 241-63; 272-79; 326.

31. See, e.g., her rejoinder to Naḥmanides' critique of Rashi on Gen 12:1 in *Limmud*, 25-26.

32. *Guide of the Perplexed*, trans. Shlomo Pines (Chicago, 1963), introduction, 12. On the significance of this principle in Maimonides' exegesis, see Cohen, *Three Approaches*, 180-88; idem, *Gates of Interpretation*, 189-203.

33. *Guide of the Perplexed*, introduction; Pines trans., 14. Arabic text in Moses Maimonides, *Dalālat al-Ḥa'irīn* (*Sefer Moreh Nevukhim*), ed. Salomon Munk and

For Maimonides, genuine exegesis reveals the intent (Ar. *qaṣd*) of the biblical authors; it must not become subjective interpretation projected onto the text by the reader.

A similar conception can be said to motivate exegetes like Rashbam, Ibn Ezra, and Radak; one can be certain only of what is written explicitly in Scripture, whereas inferences from linguistic nuances are nothing more than conjecture. In this vein, for example, Ibn Ezra remarks:

> Our early [Sage]s . . . interpreted sections, verses, words, and even letters [of Scripture] by way of *derash* in the Mishnah, Talmud, and Baraitot. Now there is no doubt that they knew the straight path as it is and therefore expressed the rule "A biblical verse does not leave the realm of its *peshat*," whereas the *derash* is an added idea (*tosefet ta'am*).[34]

For Ibn Ezra, *peshat* is the actual meaning of the text, whereas *midrash* is a superimposed interpretation. Moreover, for Ibn Ezra *peshat* is singular, unlike the multivalence celebrated by midrash. As he remarks:

> The words of any author, whether a prophet or a sage, have [but] one meaning (*ta'am*), although those with great wisdom [lit. broad hearted; i.e., the Sages] augment [this] and infer one thing from another thing… at times by way of *derash* or by way of *asmakhta*. About this, the early [Sage]s, of blessed memory, said, "A biblical verse does not leave the realm of its *peshat*."[35]

Reacting against what they perceived as midrashic "over-interpretation," the medieval *pashtanim* delineated a disciplined, circumscribed method of philological analysis that aimed to discover the original intention of the Hebrew Bible, which they referred to as *peshat*.

The medieval Jewish interpreters who most clearly articulated a theory of *peshat*, distinguishing it from *midrash*, seem to have discerned two opposed hermeneutical choices: the unbridled creativity of *midrash* vs. a disciplined investigation that aims only to discover the author's intention—that is, *peshat*. They realized, of course, that even *peshat* interpretation at times requires conjecture, but this was regarded by them as an obstacle to be overcome.

Issachar Yoel (Jerusalem, 1930), 9.

34. Abraham Ibn Ezra, *Sefer Safah Berurah*, ed. Michael Wilensky, *Devir* 2 (1924): 288. On the multivalent term "*ta'am*" in Ibn Ezra's lexicon, see Cohen, *Three Approaches*, 43n, 237n, 243n.

35. Abraham Ibn Ezra, *Yesod Dikduk*, ed. Nehemia Allony (Jerusalem, 1985), 86. On Ibn Ezra's notion of *asmakhta*, see Cohen, *Gates of Interpretation*, 80-81.

Nehama devised a broader concept of *peshat* based on Strauss's New Critical conception that literary interpretation does not aim to get at the author's intention, but rather to construct one of the potential meanings of the text, a "reproduction" of the text. Even though it is bound by the words of the text, by its very nature, this sort of interpretation is meant to be a creative process, necessarily dependent upon conjecture. True, one cannot know for certain what the Patriarch Jacob was actually thinking when he specified, "Rachel, your daughter, the younger one." But the reader of the biblical account of this episode in Genesis is entitled—even obligated—to fill in the blanks in a "reproduction" of the text. Later in this biblical account, we learn that Laban indeed tricked Jacob, who confronts Laban saying, "Why did you deceive me?" (Gen. 29:23-25). One possible reading might have Jacob as a completely unwitting victim. But Rashi makes the assumption that Jacob anticipated Laban's trickery and aimed to thwart it, although to no avail.

That Nehama characterized Rashi's creative, midrashically rooted method as *peshuto shel mikra* comes across clearly in her discussion of Rashi's gloss on Laban's first words upon meeting Jacob, "Surely [or but; *akh*] you are my bone and flesh" (Gen. 29:14). One could, of course, read this as a genuinely gracious greeting, but Rashi—again drawing upon *Genesis Rabbah*—draws a different portrait by putting additional words into Laban's mouth, or at least into his thoughts:

> Actually, I have no reason to take you into my house, since you have brought nothing with you; but because of kinship, I will take care of you for a month.[36]

This certainly seems to be an unwarranted midrashic elaboration, and hardly *peshuto shel mikra*! Nehama, however, supplies the following linguistic basis for Rashi's interpretation:

> As is well known, the word *akh* is always a contrast to what comes before . . . and since in our verse there is no statement before the *akh* to which Laban's words stand in contrast . . . Rashi brought the words of the Midrash, which open our ears to hear the thoughts that Laban did not articulate.[37]

As Nehama observes, Rashi uses the text as a springboard for imagining what was not stated, yielding his "reproduced" account of Laban's encounter with Jacob.

36. Rashi's comment here is an adaptation of *Gen. Rabbah* 70:14.
37. Leibowitz, *Limmud*, 134.

Nehama was well aware of an alternate approach:

> There are, however, commentators who attempt to solve the difficulty of the *akh* in another way, without adding to Scripture what is not written. For example, Radak: "'*Akh* [you are] my bone [and flesh]'—means *in truth*. And similarly: 'Indeed (*akh*), [God] is good to Israel' (Ps. 73:1), 'Indeed (*akh*), they are my nation' (Isa 63:8), etc."[38] However, it is doubtful that his words are close to the *peshat* of Scripture.[39]

Radak here represents the minimalist tendency of the *peshat* school, which prefers to offer simple stylistic solutions to the elaborate scenarios that the *midrash* fabricates based on inferences from the supposedly anomalous language of the biblical text.[40] But Nehama is adamant that Rashi more fully reflects "the *peshat* of Scripture." Armed with Strauss's notion of the reader's active role, Nehama offers a theoretical foundation that justifies Rashi's introduction of a conjectural assumption about Laban's unstated thoughts.[41]

38. This interpretation is generally accepted in modern philological biblical scholarship. Although the term *akh* often has a "restrictive" force, in which case it might be rendered "howbeit," "yet," "but," this is not the only sense of the term or even its dominant sense and Biblical Hebrew. In most cases it is used in an "assertive" sense, introducing with emphasis the expression of a truth, and would thus be rendered "surely," "no doubt." See, e.g., F. Brown, S. R. Driver and C. A. Briggs, *A Hebrew and English Lexicon of the Old Testament* (Oxford, 1966), 36, s.v. *akh*.

39. Leibowitz, *Limmud*, 134. The expression "close to the *peshat* of Scripture" is commonly used to describe Rashi's commentaries; see Kamin, *Categorization*, 63-64.

40. Interestingly, in the preceding example from Gen. 29:14, Radak incorporates (a revised version of) Rashi's midrashic reading into his commentary, without attributing it to the Midrash, which would indicate that in his view this is *peshat*. While this is not truly exceptional in Radak, it seems to me that he usually follows the minimalist approach of Ibn Ezra; see Mordechai Cohen, "Midrashic Influence on Radak's *Peshat* Exegesis" (Hebrew), in *Proceedings of the Eleventh Conference of the World Congress of Jewish Studies* (Jerusalem, 1994), 143-50. See also below, n. 79. Cf. Yitzhak Berger, "Radak on Genesis and the Meaningfulness of the Pentateuchal Text" (Hebrew), in *To Settle the Plain Meaning of the Verse: Studies in Biblical Exegesis* (Hebrew), ed. Sara Japhet and Eran Viezel (Jerusalem, 2011), 180-92. Berger argues that Radak, in his Pentateuch commentary, should not be regarded as a minimalist on significance. Nevertheless, it is undeniable that, when rejecting what he regarded as unwarranted midrashic interpretations in his Pentateuch commentary, Radak at times invokes the minimalist principles of Ibn Ezra and Maimonides.

41. As for Ps. 73:1, cited by Radak as a proof-text for interpreting *akh* merely as emphasis, Nehama (*Limmud*, 137) shows that Rashi ad loc. is consistent, since he interprets the word *akh* there in a similar way. The Psalm as a whole, he explains, refers to the travails of Israel; despite them, the psalmist declares his faith in God's goodness. Compare the reading of this verse by Martin Buber:

> The speaker is a man of Israel in Israel's bitter hour of need. . . . Behind his opening sentence lies the question: "Why do things go badly with Israel?" And

The question of how to reconcile Rashi's exegetical practice with his stated *peshat* program ("I have come only to convey *peshuto shel mikra*") is an old one. A venerable tradition of supercommentaries on Rashi's Pentateuch commentary diligently endeavored to show how each and every midrashic reading adopted by Rashi was prompted by an extra word or another anomaly in the biblical text. R. Elijah Mizrahi (Constantinople, 1455-1526), author of one of the best known of these works, commonly employs this strategy and remarks that Rashi's commentaries are therefore "close to the *peshat* of Scripture."[42] In the final analysis, however, this supercommentary tradition is predicated on the "omnisignificance" of the biblical text, a doctrine defined in the following way by James Kugel:

> [N]othing in Scripture is said in vain or for rhetorical flourish: every detail is important, everything is intended to impart some teaching. . . . [A]pparently insignificant details in the Bible—an unusual word or grammatical form, any repetition . . . —all [are to be] read as potentially significant.[43]

While this doctrine was formulated by Kugel to explain the workings of Midrash and other forms of ancient biblical interpretation, it would seem to likewise characterize the thinking underlying the supercommentaries on Rashi.

We might compare this with the formulation of Malbim (Meir Loeb ben Yehiel Michel, 1809-1879):

> In the poetry of the prophets, there is no husk devoid of interior, body without soul, clothing without a wearer, language devoid of a lofty idea, a saying within which does not dwell wisdom, for the spirit of the living God is in all the words of the living God.[44]

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first he answers: "Surely, God is good to Israel." (Martin Buber, *On the Bible*, ed. Nahum Glatzer [New York, 1982], 200)

Although Buber does not make this connection, his reading of the verse in Psalms works best with the explanation Nehama gave for Rashi—that is, that the word *akh* implies a contrast with a thought that preceded but was not articulated. Accordingly, the word *akh* should be rendered "but," as if to say: things may seem to go badly, but in truth, God is good to Israel. On the affinities between Buber's method of biblical interpretation and the New Criticism, see Weiss, *Bible from Within*, 35-38.

42. For an overview of this tradition of Rashi supercommentaries, see Nehama Leibowitz, "Rashi's Method in Citing Midrashim," in *Nehama Leibowitz on Teaching Tanakh*, 31-70.

43. James Kugel, *The Bible as it Was* (Cambridge, MA, 1997), 20-21.

44. Malbim, Introduction to Isaiah. See Mordechai Z. Cohen, "Malbim: Rabbinic Scholar, Biblical Exegete," in *The YIVO Encyclopedia of Jews in Eastern Europe*, ed.

For Malbim, like the Midrash and the Rashi supercommentary tradition, the language of the Bible merits special interpretive scrutiny because it is a divine text, super-filled with meaning.

On the other hand, commentators of the *peshat* tradition (with the exception of Rashi) sought to explain the supposedly superfluous words or grammatical anomalies that prompted midrashic commentary as nothing more than rhetorical flourish or stylistic convention. For example, it is common for Radak—following Ibn Ezra and earlier commentators—to assert that it is a conventional feature of biblical poetic style to repeat the same idea in different words (*kefel inyan be-millim shonot*). This observation is often used to undercut midrashic interpretations sparked by the supposedly superfluous biblical language, which assume the doctrine of omnisignificance.[45]

Malbim once again formulates the theory of the midrashic mode of analysis:

> In the poetry of the prophets, there is no "repetition of the idea in different words" (*kefel inyan be-millim shonot*), no repeated idea, no repeated statement, no repeated expression, no two sentences with the same meaning.

This claim is based on the principle that the divine text of scripture is full of meaning ("omnisignificant"), and therefore requires greater scrutiny than one would apply in the interpretation of a humanly authored text. For their part, the medieval *pashtanim* maintained that Scripture was written according to the conventions of human literary expression, in the spirit of the talmudic axiom, "Scripture spoke in the language of men" (*dibberah Torah ki-leshon benei adam*).[46]

It is against this backdrop that we can appreciate the new turn taken by Nehama, even while adhering to the spirit of the Rashi supercommentary tradition. Unlike those supercommentators, Nehama was inspired by the New Criticism and did not tie her method to the proposition that the Bible is fundamentally different from human literature. Following Strauss, she maintained that the analysis of any literary work requires careful scrutiny of its specific formulation, including redundancies and other anomalies. In other words, even if one assumes that "Scripture

Gershon David Hundert (New York, 2008), 1145-47.

45. See Cohen, *Three Approaches*, 276.

46. On this characterization of the debate, see Mordechai Z. Cohen, "'The Best of Poetry . . . ': Literary Approaches to the Bible in the Spanish *Peshat* Tradition," *The Torah U-Madda Journal* 6 (1995/6): 15-57.

spoke in the language of men," there is still ample room for Rashi's adaptations of midrashic readings that enable him to "read between the lines" of the Bible.

For Nehama, Rashi applied to the Bible a literary analytic methodology not unlike the one formulated by Robert Alter:

> By literary analysis I mean the manifold varieties of minutely discriminating attention to the artful use of language, to the shifting play of ideas, conventions, tone, sound, imagery, syntax. . . . And much else; the kind of disciplined attention . . . which through a whole spectrum of critical approaches has illuminated, for example, the poetry of Dante, the plays of Shakespeare, the novels of Tolstoy.[47]

Rashi, of course, was never exposed to modern literary theory, but Nehama argued that he intuitively developed a methodology of close reading that he defined as *peshuto shel mikra*.[48]

Naḥmanides in Light of the New Criticism

While Rashi's reliance on Midrash makes it easy to use his commentary to illustrate Strauss's notion of creative literary interpretation, a similar case can be made with respect to stricter *pashtanim*. Naḥmanides, for example, opposes the principle of omnisignificance and therefore does not hesitate to chide Rashi for what he perceives as the latter's midrashic excesses.[49] In this respect, Naḥmanides manifests his "hidden

47. Alter, *Art of Biblical Narrative*, 11.

48. Admittedly, even Nehama could not provide a satisfactory explanation for all of Rashi's more tenuous midrashic readings, e.g., those involving *gematria*. See Leibowitz and Ahrend, *Rashi's Commentary*, 338-47. However, she (successfully) argued that the majority of Rashi's readings can be shown to be a legitimate "reproduction" of the text based on a disciplined analysis of its language.

49. See Cohen, "Best of Poetry," 32-33. Cf. Yaakov Elman, "Moses ben Naḥman/Naḥmanides," ch. 33.4 of HBOT I/2:416-32. According to Elman, "Naḥmanides was able to translate his sensitivity to matters of structure, proportion, and sequence into . . . omnisignificant approaches to the Pentateuch . . . thereby advancing the rabbinic omnisignificant program" (420). In fact, however, the sensitivities Naḥmanides manifests toward structure, proportion, and sequence are often employed to undercut rabbinic midrashic interpretations guided by the omnisignificance doctrine. Instead, Naḥmanides offers interpretations in the spirit of the formalist Andalusian literary outlook that was directly opposed to that doctrine. Many of the examples that Elman himself cites illustrate this very point. For example, Elman (422) points to Naḥmanides' comment on Exodus 4:9 as an example of his application of the principle of omnisignificance. However, Naḥmanides addresses that passage by citing Rashi's midrashic interpretation based on a superfluous word and continuing as follows: "There is no

love" for Ibn Ezra's Andalusian *peshat* orientation, as Bernard Septimus has shown.[50] Ibn Ezra's motto, "We pursue Scripture" (used to undercut midrashic assumptions that—in his opinion—are not anchored in the biblical text[51]), is applied by Naḥmanides in his introduction to Exodus, which, among other things, is designed to offer an alternative to Rashi's famous opening comment on this biblical book:

> "Now these are the names of the sons of Israel [who came to Egypt]." Even though Scripture enumerated them by name while they were living [and traveling to Egypt; see Gen. 46:8-27], it enumerates them again when it tells us of their death, thus [showing] how dear they were [to God], that they are compared to the stars, which He brings out [at night] and brings in [in the morning] by number and name, as it is said, "He who sends out their hosts by count, He who calls each by name" (Is. 40:26).[52]

Rashi here responds to a difficulty: Why does the narrative at this point repeat information already provided in Genesis 46? In typical fashion, Rashi resolves this matter using material provided by the Midrash. After developing his own solution to this matter (to which we will turn shortly), Naḥmanides cites Rashi's comment in full and offers the following evaluation:

> These are words of Aggadah, and they are words of truth indicating the love of the Holy One, blessed be He, that he loves them and repeats their

need for his midrashic interpretation because the experts on language have discerned that the convention of many verses is to repeat words for emphasis and to strengthen [the point]." Naḥmanides here invokes the opinion of the great Andalusian linguist Yonah Ibn Janaḥ, who formulated his rule of "repetition for emphasis" specifically to undercut the midrashic tendency to extract meaning from seemingly redundant words in the Bible. See Cohen, *Gates of Interpretatio*n, 58-59, 120-21. See also below, n. 55.

50. See Bernard Septimus, "'Open Rebuke and Concealed Love: Naḥmanides and the Andalusian Tradition," in *Rabbi Moses Naḥmanides (Ramban): Explorations in His Religious and Literary Virtuosity*, ed. Isadore Twersky (Cambridge, MA, 1983), 15-22. It is true that Naḥmanides also incorporated a kabbalistic strain in his biblical commentaries, but he does so within the parameters of a systematic philological-contextual methodology largely consistent with Ibn Ezra's notion of *peshat*. As Septimus writes ("Open Rebuke," 18): "The immense energy that Naḥmanides devoted to uncovering the plain sense of Scripture . . . shows him entirely free of the frequent kabbalistic tendency to devalue *peshat*." On this balance in Naḥmanides' exegesis, see Ḥaviva Pedaya, *Naḥmanides: Cyclical Time and Holy Text* (Hebrew) (Tel Aviv, 2003), 47-85 (esp. 72-73); Moshe Halbertal, *By Way of Truth: Naḥmanides and the Creation of Tradition* (Hebrew) (Jerusalem, 2006), 282-96.

51. See, for example, his long commentary on Ex. 7:24. See also Simon, "Ibn Ezra," 380; Cohen, *Three Approaches*, 233-38.

52. Rashi's midrashic source is *Exodus Rabbah* 1:3. Unlike the *midrash*, however, Rashi clarifies the exegetical difficulty he seeks to resolve with this idea.

> names always. But the connection of the verses . . . is as I have explained. (Comm. on Ex. 1:1)

In other words, Rashi's commentary is mere *derash* (what Ibn Ezra might regard as "an added thought"), whereas Naḥmanides, by implication, aims to interpret what the verses themselves actually say (following the Andalusian conception of *peshuto shel mikra*).

Naḥmanides presents his solution to the difficulty posed by Rashi as part of a general introduction to the book of Exodus:

> Scripture completed the book of Genesis, which is the book of Creation, regarding the birth of the world and creation of every created thing and of all the events that befell the patriarchs, who were a sort of "creation" for their progeny, because all the events that befell them were symbolic occurrences, indicating and foretelling all that was destined to come upon their progeny.[53]

Naḥmanides delimits Genesis as its own literary unit and assigns it a sort of title, a unifying theme: "The Book of Creation." That this can be regarded as the single theme of Genesis, however, is far from self-evident, since only its first few chapters actually deal with the creation of the world. In order to overcome this problem, Naḥmanides draws upon the midrashic principle that "the deeds of the fathers are a sign for the children," which he famously interprets to mean that the narratives about the forefathers in Genesis prefigure or symbolize the history of the nation of Israel.[54] This allows him to regard the remainder of the book Genesis as a type of "creation," i.e., of the nation of Israel. Naḥmanides thus manifests creativity when he comes to discover—or, one might say, invent—the thematic unity of the book of Genesis.

Following his claim regarding the literary unity of Genesis, Naḥmanides goes on in a similar vein to find a unifying theme of the book of Exodus:

> After [Scripture] completed the "Creation," it began another book on the

53. It is interesting to conjecture why Naḥmanides gives a title to the book of Genesis only at this point, at the beginning of Exodus. Perhaps he perceived the literary unity of the book only upon completing his commentary on Genesis, after devising the notion that "the deeds of the fathers are a sign for the children." It is also possible that he considered (or felt a need to write about) the question of the distinct themes of Genesis and Exodus only at this point, when faced with the need to demarcate the boundary between the two books.

54. See Amos Funkenstein, "Naḥmanides' Symbolical Reading of History," in *Studies in Jewish Mysticism*, ed. Joseph Dan and Frank Talmage (Cambridge, MA, 1982), 129-50.

> subject of the actions that came from those symbolic events [in Genesis]. And the book of Exodus is dedicated to the story of the first exile . . . and the redemption therefrom.

Just as he identifies thematic unity in Genesis, Naḥmanides defines Exodus as "the book of Exile and Redemption." As part of his proof for this assertion, he cites the very redundancy that troubled Rashi:

> And for this reason, [Scripture] went back and began [this second book of the Torah] with the names of those who went down to Egypt and their number, although this is already written. It is because their descent there was the beginning of the exile, which began from that moment on.

With the assumption that Exodus is an independent, self-contained literary unit with its own theme, Rashi's difficulty disappears.

For Naḥmanides, the purpose of the repetitive information provided in Ex. 1:1 is to mark the opening of a literary unit, the Book of Exodus. Indeed, Naḥmanides reiterates this point in his gloss on this verse:

> "And these are the names . . . " Scripture wishes to recount the subject of the exile from the time they went down to Egypt . . . as I have explained. Therefore it returns to the beginning of the subject, which is the verse, "[Jacob] and all his offspring came with him to Egypt" (Gen. 46:7). There it is written afterward, "And these are the names of the sons of Israel, who came to Egypt, etc." (Gen. 46:8). This is the very same verse that it repeats here.

Naḥmanides, revealing the methodological concerns of a *pashtan*, goes on to support this reading by showing that such repetition for literary purposes is, in fact, a convention of biblical literature attested elsewhere in Scripture:

> A similar case is found in the Book of Chronicles and the Book of Ezra. Chronicles finishes with the verse, "Now in the first year of King Cyrus of Persia, when the word of the Lord spoken by Jeremiah was fulfilled, the Lord roused the spirit of King Cyrus of Persia to issue a proclamation throughout his realm by word of mouth and in writing as follows: Thus said King Cyrus of Persia, etc." (II Chr. 36:22-23). The author repeated the very language of these two verses at the beginning of the Book of Ezra in order to connect the narrative. However, since they were indeed two books, he completed the first book [i.e., Chronicles], with the events that transpired before the building of the Second Sanctuary, and he devoted the second book [i.e., Ezra] to the events that happened from the time of the building [of that Sanctuary]. The same thing occurs in these two books, Genesis and Exodus.

As Naḥmanides demonstrates from the opening verses of Ezra, one need not expect new information from every word of Scripture, as some verses seem to be used as markers to provide literary structure.[55]

Naḥmanides here identifies a literary technique in Scripture referred to in modern scholarship as "resumptive repetition," the repetition of a text in order to create a link between narratives.[56] With these observations, based on the biblical texts themselves rather than on midrashic sources, Naḥmanides devises a solution to the problem Rashi had raised on Ex. 1:1 that is more consistent with "the way of *peshat*."[57]

Yet even Naḥmanides' analysis is the product of his imagination as a creative reader, since—in order to substantiate his identification of Exodus as a literary unit—he must define the theme that ties together its opening and closing. While the opening seems clear enough, the significance of the book's closing requires greater ingenuity, which Naḥmanides hardly lacks. As he defines it, the book of Exodus "was dedicated to the story of the first exile . . . *and the redemption therefrom*." When is the redemption? When the Israelites actually left Egypt? That is described in Exodus chapter 12. At the triumphant victory hymn at the Sea? That is in chapter 15. Perhaps one can regard the giving of the Torah at Mount Sinai as the ultimate purpose—and hence the final stage—of the redemption. But even that goes only as far as chapter 24. Naḥmanides, however, must account for all forty

55. Naḥmanides here can be said to apply a version of Maimonides' principle mentioned above, namely that in some biblical *meshalim*, "very many utterances are to be found, not every one of which adds something to the symbolized idea. They serve, rather, to embellish the parable and to render it more coherent" (above, at n. 33). In a similar vein, Naḥmanides argues that the function of the opening verses of Exodus and Ezra is to render these books "more coherent" from a literary perspective. Hence, Naḥmanides' *peshat* interpretation of Ex. 1:1—which ascribes a structural literary function to an otherwise superfluous verse—is directly opposed to the midrashic interpretation given by Rashi, which is based on the doctrine of omnisignificance.

56. See Adele Berlin, *Poetics and the Interpretation of Biblical Narrative* (Winona Lake, IN, 1994), 126-29. This technique was already noted by R. Saʿadyah Gaon (*Saadya's Commentary on Genesis*, ed. and trans. Moshe Zucker [New York, 1984], 409-10) and Rashi (comm. on Ex. 6:29).

57. Compare the distinction between *peshat* and *derash* formulated by Leibowitz and Ahrend, *Rashi's Commentary*, 360, where they define *peshat* as "a completion of the text [*hashlamat ha-katuv*; or, "filling (the gaps in) the text"] based on what is necessary and what is reasonable according to the rules of logic and psychology—and that is anchored in the biblical text, as opposed to its completion on the basis of conjectures and uncontrolled imagination without any real foundation in Scripture."

chapters of Exodus. He therefore writes in his introduction to Exodus:

> Now the exile was not finished until the day "they returned to their place" [see Hos. 5:15] and returned to the status of their fathers. [For] when they left Egypt, even though they came forth from the house of bondage, they were still considered exiles because they were "in a land not theirs" (Gen. 15:13), "wandering in the wilderness" [see Ex. 14:3].

The ultimate redemption is dependent on Israel returning "to their place," seemingly a reference to the Land of Israel. But at the end of Exodus, the Israelites are still in the desert! Here, Naḥmanides makes his innovative claim:

> And when they came to Mount Sinai and made the Tabernacle, and the Holy One, blessed be He, caused His Divine Presence to dwell again amongst them, then they returned to the status of their fathers, when "the company of God graced their tents" [see Job 29:4] and they were those who constituted the "Chariot [of God]." Then they were considered redeemed.[58]

Naḥmanides here defines anew the concept of "redemption" as the union of Israel and the Divine Presence (*Shekhinah*). In a kabbalistic vein, "their return to their place" means *with respect to their proximity to the Lord Himself*, who normally "dwells" only in the Holy Land of Israel, but temporarily dwelled in the Tabernacle.[59] On this basis, Naḥmanides succeeds in showing that the book of Exodus concludes with the redemption:

> Therefore, this book [Exodus] concludes with the completion of the building of the Tabernacle "and the Glory of the Lord fill[ing]" it always" (see Ex. 40:35).

Precisely at that moment, Israel left their exile and entered a state of "redemption" and the circle of the book of Exodus was complete.

In order to appreciate the innovative nature of Naḥmanides' approach, we must turn our attention to the special introduction he writes for the biblical portion of *Terumah*:

> When (1) God told Israel "face to face" [see Deut. 5:4] the Ten Commandments and (2) commanded them through Moses some of

58. The notion of the "Chariot" is kabbalistic. See below at n. 63.

59. On the exegetical and kabbalistic implications of this interpretation of Naḥmanides, see Mordechai Z. Cohen, "Interpreting 'The Resting of the *Shekhinah*': Exegetical Implications of the Theological Debate among Maimonides, Naḥmanides, and *Sefer ha-Ḥinnukh*," in *The Temple of Jerusalem: From Moses to the Messiah*, ed. Steven Fine (Boston, 2011), 237-74.

> the other commandments that are like paradigms for the [rest of the] commandments of the Torah—as our Rabbis established for converts who seek to become Jews—and (3) Israel accepted upon themselves to do all that He would command them through Moses and (4) He made a covenant with them concerning all this. . . .[60]

Naḥmanides summarizes here the steps of the narrative leading up to *Terumah*. Why does he do so? At first glance, there does not seem to be any special point or novel interpretation in this synopsis, making it superfluous and out of place in Naḥmanides' commentary, which does not usually feature such introductions or summaries.

The key is Naḥmanides' remark, "in the same way that our Rabbis were accustomed to deal with converts," which makes a connection that is not stated in Scripture, although it is based on the Talmud.[61] Naḥmanides uses this notion for his own purpose—to portray the giving of the Torah at Mount Sinai and the subsequent covenant described in Exodus 24 as preparatory activities intended to effect a change in the people's status, their "conversion" to become the holy Jewish nation.[62] As Naḥmanides continues:

> From now on, they were His people and He was their God, as He stipulated with them initially: "Now, then, if you will obey me faithfully and keep My covenant, you shall be My treasured possession" (Ex. 19:5). And He said: "You shall be to Me a kingdom of priests and a holy nation" (ibid. 19:6).

Next, Naḥmanides shows why this change is significant:

> They were now holy and worthy that there be among them a Sanctuary through which He makes His Divine Presence dwell within them. His first command therefore concerned the Tabernacle, in order that there be among them a sanctified house for His name, from where He would speak with Moses and command the Children of Israel.
>
> And the purpose [or "inner meaning"; *sod*] of the Tabernacle is that

60. Naḥmanides does not write this paragraph as a complete sentence; it is a circumstantial clause introducing the events that take place in *Terumah*. After steps (1), (2), (3), and (4), Israel became worthy of housing the Divine Presence, as Naḥmanides goes on to explain in the comment cited below.

61. See *Yevamot* 47a.

62. Naḥmanides here adheres to his view (following Ibn Ezra) that the covenant described in Ex. 24 is in chronological order—i.e., it occurred after Israel received the Ten Commandments, as described in Ex. 19-20. In this matter, he takes issue with Rashi, who argues that the events described in Ex. 24:1-11 occurred before the Ten Commandments were given; see Rashi on Ex. 24:1.

> the Glory which dwelt upon Mount Sinai [openly] should dwell within it in a concealed manner. For just as it is said there "The Glory of the Lord abode on Mount Sinai" (Ex. 24:16)… so it is written of the Tabernacle, "The Glory of the Lord filled the Tabernacle" (ibid. 40:34).

The sanctity with which Israel was endowed only at this point—and not a moment before—allows the Divine Presence to descend to the world for the first time since the passing of the forefathers, who had been the "Chariot" of God. Only at this point were the people of Israel worthy to build the Tabernacle. Immediately when this opportunity presented itself, Naḥmanides reasons, God commanded them to do so.[63]

It is striking that Naḥmanides describes the building of the Tabernacle as the "first commandment," rather than the Ten Commandments or the laws given subsequently in *Parashat Mishpatim*.[64] What he means, of course, is that this is the first commandment Israel received as a holy nation, but his purpose is clear. By describing the Ten Commandments and subsequent covenant as stages in the conversion process of the nation of Israel, Naḥmanides intends to portray these monumental events not as an end unto themselves, but rather as preparation for the commandment that brings them to redemption, which he defines as their mystical union with God, whose Divine Presence will dwell among them once they build the Tabernacle to house it. For Naḥmanides, then, the two ends of the book of Exodus frame a continuous linear progression from the depths of exile to the height of redemption.

To be sure, Naḥmanides builds his interpretive edifice on the basis of ample Scriptural evidence, in particular the parallel between Ex. 24:16, describing "the Glory of the Lord [on] . . . Mount Sinai," and 40:34, "the Glory of the Lord filled the Tabernacle." But the impetus for drawing his conclusions about the structure of the book of Exodus can be traced to his kabbalistic outlook, specifically the notion that God desires to bring His presence down to earth. Philosophically oriented interpreters such as Saʿadyah and Maimonides, on the other hand, for whom such an idea

63. The assumption behind Naḥmanides' reasoning here is that God desires—or even needs—to bring His presence down to earth, and He therefore did so at the first opportunity. (On this aspect of Naḥmanides' thinking, see his commentary on Ex. 29:46; Halbertal, *By Way of Truth*, 279-82; Josef Stern, *Problems and Parables of Law* [Albany, 1998], 80.) Had the Israelites been worthy sooner, the command to build the Tabernacle would have come earlier.

64. Rashi on Gen. 1:1 (cited by Naḥmanides ad loc.) refers to the rabbinic tradition that Ex. 12:2 ("This month shall mark for you the beginning of months") is "the first commandment given to Israel."

was anathema, understood the verses about "The Glory of the Lord" figuratively or posited that it referred to a miraculous light that He created.[65] Naḥmanides would have thus known quite well of other ways in the tradition to construe the chain of events in the book of Exodus. Indeed, some earlier interpreters actually viewed the Tabernacle as a response to the episode of the Golden Calf, either as a way of atoning for that grave sin or a concession to people's need for physical representation of the Divinity that became evident by their actions at that time.[66] For these and other reasons, the giving of the Torah at Mount Sinai could be viewed as the high point of the book of Exodus. Naḥmanides, however, sees it as a stepping stone for the building of the Tabernacle, and it is only with this assumption that he is able to view the steady movement from exile to redemption as the unifying theme of the book of Exodus. From the perspective of the Jewish exegetical heritage he knew, the weak point in Naḥmanides' approach is the transition from *Mishpatim* to *Terumah*, since others would have viewed the former as the final step in the redemption, endowing Israel with their status as a Holy Nation guided by the Torah. This is why Naḥmanides had to write a special introduction to *Terumah*—in order to present his alternate approach that even the giving of the Torah is merely a preparatory stage for the ultimate redemption at the conclusion of Exodus, when "the Glory of God filled the Tabernacle."

One might argue that Naḥmanides' approach is based on a number of leaps of faith. It is reasonable, as modern scholars have argued, to view the book of Exodus as consisting of three separate themes: the redemption from Egypt (chapters 1-15), receiving the Torah (16-24), and the building of the Tabernacle (25-40).[67] But Naḥmanides argues

65. See *Guide* I:19, Pines trans., 45-46; compare Saʿadyah, *Beliefs and Opinions* II:10. A response to Naḥmanides' conception on behalf of Maimonides can be found in the strong formulation of *Sefer ha-Ḥinnukh*, commandment 95. For details, see the study cited in n. 59 above.

66. See, for example, Nehama Leibowitz, *Studies in Shemot* (Jerusalem, 1981), 459-66. This argument is based on the assumption that Scripture does not follow chronological order and that the commandments given in *Terumah* and *Teẓavveh* were actually given after the episode of the Golden Calf; see Rashi on Ex. 31:18.

67. There are some variations regarding where precisely to draw the line between the first and second major sections of the book. See, e.g., Umberto Cassuto, *A Commentary on the Book of Exodus*, trans. Israel Abrahams (Jerusalem, 1967), xi-xiv; compare Nahum M. Sarna, *Exploring Exodus: The Heritage of Biblical Israel* (New York, 1986), 6-7. One could certainly say that the modern division is also the product of an imaginative analysis.

that a single central theme unites the book, and he takes the interpretive steps necessary to support this claim. The literary unity of the book is not an objective fact "in the text"; it is the product of Naḥmanides' interpretive imagination. This is not a methodological shortcoming. On the contrary, as an active reader, Naḥmanides brings Scripture to completion as a literary work in his "reproduction of the text." Scripture provided the blueprint and he builds his interpretive house out of the materials provided by his own mind and spirit.[68]

Biblical Multivalence and the *Peshat* Tradition

From our analysis of Naḥmanides, we can draw some general conclusions about the literary nature of medieval biblical exegesis. Despite the desire of some commentators for objectivity and their attendant willingness to appeal to certain minimizing principles, Naḥmanides' efforts to identify structure, theme and theology in the books of Genesis and Exodus provide illustrative examples of the inescapable subjective component of *peshat* exegesis.[69] Rashi's students Joseph Kara and Rashbam, as well as the exegetes of the Spanish-Provençal *peshat* school, tended to avoid midrashic exegesis (to differing degrees, to be sure) that does not adhere to the rules of the language of Scripture or its literary and historical context. *Pashtanim* such as Joseph Kara, Rashbam, Ibn Ezra, Radak, and Naḥmanides made impressive strides through their philological-contextual analysis of Scripture, and they were able to reach certain definitive interpretive conclusions about the meaning of the biblical text. Yet other interpretive questions remained, questions that do not have clear-cut answers, since it is possible to read the text in more than one way even when all of the semantic and syntactic issues posed by the text have been resolved definitively. Here the interpreter must apply imagination, as Naḥmanides does in his literary analysis of the structure and themes of

68. One might perhaps argue that this creative dimension of Naḥmanides' reading stems entirely from his kabbalistic outlook and cannot be linked to his *peshat* method at all. In my opinion, however, this bifurcation is unwarranted. While Kabbalah played a role in Naḥmanides' thought and would have made the idea of the unification of Israel with the *Shekhinah* particularly important in his view, his characterization of this episode as the completion of the redemption from Egypt is not entirely dependent on a kabbalistic outlook. In other words, the explanation he gives for the conclusion of the book of Exodus is quite reasonable even without its kabbalistic import; the dwelling of "The Glory of the Lord" in the midst of Israel can certainly be regarded as the completion of their redemption from Egypt.

69. I am indebted to Yitzhak Berger for the formulation of this sentence.

the books of Genesis and Exodus, which is not dependent on questions of grammar or philology.[70]

A similar observation can be made with respect to the examples from Rashi cited above. It is possible that Jacob emphasized "Rachel, your daughter, the younger one" because he knew Laban to be deceitful. The question has nothing to do with the meaning of the words, but rather their connotation. As for the second example, while it is true that there is a debate over the meaning of the word *akh*, we still must acknowledge that there is room for both interpretations. Who can know for certain whether or not Scripture is hinting at Laban's unarticulated thoughts? The text is open-ended and it is up to the reader to decide. It is to no avail to say the single correct interpretation is "what actually happened." To begin with, we have no way of knowing that. But more fundamentally, biblical narrative is a literary representation, not a historical mirror.[71] As such, its interpretation is dependent solely on the text, not the history behind it, to which there is no direct access. One might regard Scripture as the text of a play, with the responsibility for its actualization in the hands of the director, who must decide how to portray the characters: Laban joyfully and warmly welcoming Jacob into his home ("Surely you are my bone and flesh!") or disappointed at the obligation to let a pauper stay with him (". . . but you are my bone and flesh"). Similarly, the director must decide on the tone of Jacob's

70. On this aspect of literary interpretation in general, see Frank Polak, *Biblical Narrative: Aspects of Art and Design* (Hebrew) (Jerusalem, 1994), 401-3, and references cited there. It is in this vein that Robert Alter contrasts two modes of modern biblical scholarship: (1) A school that advocates "objective" interpretation, perpetuating "the legacy of positivism of modern biblical scholarship going back to 19th century Germany," and emphasizes the philological, literary and historical tools that can help us to definitively solve many puzzles posed by the biblical text. (2) "Literary" interpretation, which recognizes that "certain kinds of narrative works its art by withholding some of its key meanings. Historical exegesis of the Bible tends to presuppose 'solutions,' but a literary exegesis . . . must be able to respect the secrecy of the Bible." The goal of a commentary written in this spirit "will help readers tune into the multiple reverberations of the secrets." On this view, "a literary text . . . is more than a potsherd in an archeological find to be fitted together like a jigsaw puzzle. . . . The Bible . . . is artfully contrived… to open up a dense swarm of variously compelling possibilities, leading us to ponder the imponderables of individual character, human nature, historical causation . . . and man's encounters with the divine." See Robert Alter, "Interpreting the Bible," *Commentary* 89, 3 (March 1990): 52-59 (citations from pp. 56, 59). My thanks to Prof. Moshe Ahrend for referring me to this essay.

71. On this point, see Berlin, *Poetics and the Interpretation of Biblical Narrative*, 13-14. As mentioned below (n. 92), in this essay we focus on narrative in particular as a representative of other biblical genres.

voice when he says, "Rachel, your daughter, the younger one." Does Jacob carefully and deliberately spell out each appellation in suspicion of Laban's intentions, or does he simply speak unselfconsciously in this redundant manner?

The Rabbis already seem to have recognized this openness of the text, which they expressed with the maxim that "Both opinions [lit. these and these] are the words of the Living God"—i.e., two different and even contradictory interpretations can be equally legitimate. The Talmud applies this not only with respect to legal decisions (*Eruvin* 13b), but even to a historical biblical narrative (*Gittin* 6b).[72] Strauss's literary theory provides a conceptual basis for this. The reading of a literary text is not an archeological dig to reconstruct a historical event, but rather the appreciation of an artistic work that requires the active participation of a viewer.[73] Since the time of Strauss, literary theory has advanced further in this direction. Meir Sternberg, for example, speaks in this vein of "mutually exclusive systems of gap filling."[74] In other words, there are gaps in every text that the reader must fill according to his or her intuition, but the literary text itself, by its very nature, is open to different and even contradictory interpretations.

The medieval *pashtanim* admittedly did not see things this way, at least not in their explicit pronouncements about interpretive theory. Ibn Ezra is quite clear on this point, as evident from his remarks cited above (at n. 35). For Ibn Ezra, *peshat* is singular; it reflects the author's intent, and its discovery lacks the creative dimension of *midrash*.[75] In a

72. It is true that the talmudic discussion goes on to say that each interpretation partially reflects the historical event in question. It would seem, however, that the very fact that the Rabbis applied this rule to a historical narrative indicates their awareness that legitimate conflicting interpretations will inevitably occur even in such contexts.

73. Admittedly, one might point to a theoretical difference between the Rabbis' view and the modern theory of literary openness. In the words of Adele Berlin (personal communication):

> While it is true that they [the Rabbis] permit, even revel in, providing multiple meanings . . . their attitude towards the text is in a way diametrically opposed to ours. We tend to see the text as an empty vehicle, waiting to be filled with meaning by the reader. The Rabbis, on the other hand, see the biblical text as super-full of meaning and all the interpretations in the world cannot reveal all of its inherent meanings. Perhaps the modern and rabbinic attitudes lead to the same thing in the end—limitless interpretations—but they are coming from very different places.

74. See Meir Sternberg, *The Poetics of Biblical Narrative* (Bloomington, 1985), 186-229.

75. This can be compared to Maimonides' construal of the maxim that "Scripture does

similar vein, it would seem, as a number of scholars have argued recently, that Rashbam's methodology rests on the assumption that only one interpretation can represent "the true *peshat* of Scripture."[76]

Notwithstanding this tendency among key *pashtanim*, the range of *peshat* interpretations actually devised within the Jewish exegetical tradition would suggest otherwise. Even upon opening the *Mikra'ot Gedolot* (Rabbinic Bible), which is now augmented by newly published medieval *peshat* commentaries, we often are faced with different interpretations that all seem reasonable, and it is difficult to decide which among them is "correct."

In the story preceding Jacob's first meeting with Esau after years of separation, for example, we read of how he sent gift-bearing messengers to his older brother, and they returned saying, "We came to your brother, to Esau; and he is also coming to meet you, and there are four hundred men with him" (Gen. 32:7). Rashi comments:

> "To your brother, to Esau"—the one of whom you had said "he is my brother." But he acts with you as Esau the wicked—he is still [harboring] hatred.[77]

Rashi, drawing upon *Genesis Rabbah*, makes an assumption about Esau's intentions, which are not explicit in the text. This leaves the door open for Rashbam to advance a completely different reading:

> "We came to your brother, to Esau"—and you found favor in his eyes, as you had said [i.e., hoped; see Gen. 32:6].
>
> "And also" (*ve-gam*)—since he is happy about your arrival, and in his love for you—
>
> "He is coming to meet you and there are four hundred men with him"—to honor you.

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not leave the realm of its *peshat*" in his *Book of the Commandments*, principle #2, where he differentiates between "the *peshat* of Scripture" and other matters derived from the biblical text by way of "inference and commentary." See Cohen, *Gates of Interpretation*, 287-304.

76. See Sara Japhet and Robert Salters, *The Commentary of R. Samuel ben Meir (Rashbam) on Qoheleth* (Jerusalem—Leiden, 1985), 61; see also Eleazar Touitou, *Exegesis in Perpetual Motion: Studies in the Pentateuchal Commentary of Rabbi Samuel ben Meir* (Hebrew) (Ramat Gan, 2003), 75-76. This is distinct from the question of Rashbam's view of the status of Midrash in relation to *peshat*; see Cohen, "Rashbam Exegesis in Perpetual Motion." In other words, regardless of the validity of alternate modes of interpretation, Rashbam believes that only a single interpretation can be regarded as *peshuto shel mikra*.

77. Rashi's comment is based on *Gen. Rabbah* 75:7.

> This is the essential *peshat* (*ikkar peshuto*). Similarly, [it is said in connection with Aaron's meeting Moses], "And also (*ve-gam*) he is setting out to meet you, and he will be happy to see you" (Ex. 4:14).

By labeling his explanation "the essential *peshat*" (as he does occasionally), Rashbam intends to dismiss Rashi's midrashically based reading. But we must consider his evidence carefully. While the language of Ex. 4:14 is indeed similar, that proof-text is hardly decisive because the situations are quite different; Scripture there actually says that Aaron will be happy to meet Moses, whereas Esau's intention to kill Jacob is well known (see Gen. 27:41-42).[78] Moreover, Rashi's reading makes perfect sense in light of Jacob's great fright upon hearing the messenger's remarks, indicating the he—like Rashi—certainly understood them as an indication of Esau's hatred (Gen. 32:8).[79]

Rashbam has an answer for this as well in his gloss on that verse:

> Jacob became frightened—in his heart. Even though he [Esau] represented to the messengers that his intention was to honor him, he did not believe that Esau's intentions were good, but [suspected] that they were evil.

According to Rashbam, Jacob's suspicion was misplaced.

Perhaps Rashbam might have also brought evidence from the actual meeting of the two brothers, where we read that "Esau ran to greet him, he embraced him, and, falling on his neck, he kissed him, and they wept" (Gen. 33:4). Consistent with his opinion, Rashi (ad loc.) explains that Esau had a change of heart when he saw Jacob.

In the end, then, it is difficult to determine who is "correct" and what implications (if any) regarding Esau's intentions can be drawn from the cryptic words of the messengers. Notwithstanding Rashbam's confidence, the textual gap can be filled in more than one way. In fact, in his gloss on this verse, Joseph Bekhor Shor (thought to have been a

78. The proof-text thus seems like a *gezerah shavah*, one of the rabbinic hermeneutical methods based on verbal similarity in disparate contexts; but the use of such midrashic tools is out of character for Rashbam.

79. Interestingly, Radak (comm. on Gen. 32:7) follows Rashi in inferring from the redundancy "your brother, Esau," that his intentions were bad. It is likely that Radak does so because this reading can be supported (although not proven absolutely) by the immediate context. Normally, however, Radak avoids making inferences from redundancies in the biblical text, following Ibn Ezra's minimalist *peshat* approach (see above, n. 40). On Radak's departure from Ibn Ezra in this respect when the context can support midrashic or Midrash-like elaboration, see Cohen, *Three Approaches*, 279-332.

student of Rashbam's younger brother, Jacob Tam), opens a new possibility by paraphrasing the messengers' words in a way that is sensitive precisely to this gap:

> We do not know his intentions, whether good or bad, because he did not respond to us at all. Rather, he said, "I will go to him and will speak to him face to face, and since I will speak with him, what should I say to you?"[80]

Bekhor Shor's reading might seem more successful in negotiating the conflicting signals regarding Esau's intentions given by the subsequent narrative. Still, this is yet another conjecture, as we cannot know for certain that Esau himself did not reveal his intentions or whether the biblical narrator simply chose to conceal that information.

In the end, no single interpretation can be proven correct. Rather than being forced to regard this as a failure of interpretation, we can draw upon Strauss's literary theory to view this as a manifestation of the openness of the biblical text, which allows for multiple readings. The reader cannot be "objective" and simply let the text speak for itself; he or she must take an active role and fill the gaps in one way or another in order to "reproduce" the text.

The necessity of conjecture to fill in gaps in the biblical text even within a *peshat* approach is dramatically illustrated by a comparative study of medieval *peshat* commentaries on the Song of Songs. This can be seen in a recent study by Baruch Alster, who compares the ways in which Ibn Ezra and a variety of northern French *pashtanim* interpreted the literal sense of that biblical book.[81] Although these exegetes believe that the book has a deeper allegorical meaning that depicts God's love for Israel throughout history, they all rely upon the rule that "Scripture does

80. A similar approach is advanced by Naḥmanides (comm. on Gen. 32:8), who argues that Esau did not respond to the messengers at all; see Leibowitz and Ahrend, *Rashi's Commentary*, 355-56. It is possible that Naḥmanides thought of this independently (indeed, his scenario is more elaborate, as he posits that Esau refused to even greet the messengers). However, it is also conceivable that Naḥmanides was influenced by Bekhor Shor, as there is other evidence of such influence elsewhere in his commentary on the Pentateuch. See Hillel Novetsky, "The Influences of Rabbi Joseph Bekhor Shor and Radak on Ramban's Commentary on the Torah" (MA Thesis, Yeshiva University, 1992), pp. 6-33.

81. See Baruch Alster, "Human Love and Its Relationship to Spiritual Love in Jewish Exegesis on the Song of Songs" (Hebrew) (Ph.D Dissertation, Bar-Ilan University, 2006), 23-69. Alster deals with a wide range of exegetes spanning from the twelfth to twentieth centuries, but our interests focus on the medieval *pashtanim*.

not leave the realm of its *peshat*" to interpret the Song in the literal sense as a drama depicting a love story. Ibn Ezra, in fact, divides his commentary into three separate levels, as he writes in an introductory poem:

> And, that I may be perfect in its ways, I have made three expositions:
> In the first, I shall reveal every obscure word.
> In the second, I shall point out its natural meaning after the *peshat*
> In the third, I shall comment on it after the Midrash.[82]

The "first exposition" is actually a rather narrow grammatical-philological analysis of the text, which can indeed be regarded (for the most part) as a scientific, objective endeavor. We would, of course, expect the third exposition, which is allegorical and rooted in the Midrash, to be a creative and highly subjective reading. Yet the "second exposition," which Ibn Ezra labels as *peshat*, actually requires a great deal of interpretive creativity in order to make sense of the story line behind the brief and often disjointed love lyrics that make up the Song. Indeed, as Alster has shown, there is great disparity among the *pashtanim* in this endeavor, each employing different strategies to trace the story of the lover and beloved, leading to highly divergent conclusions.[83]

The book of Job similarly offers strong evidence for the necessarily creative dimension of the interpretive process. Here again, Ibn Ezra divides his commentary, this time into two. First, he explains the language of the text in what he refers to as "the interpretation of the words" (*perush ha-millot*); then he presents the philosophical debate that emerges from the dialogues between Job and his friends in what he terms "the interpretation of the ideas" (*perush ha-teʿamim*).[84] This bifurcation reflects the fact that overcoming the (substantial) linguistic difficulties in the text is only a preliminary step, because the interpreter—even one

82. *Abraham Ibn Ezra's Commentary on the Canticles*, ed. and trans. H.J. Mathews (Oxford, 1874), 3 (Hebrew section); 1 (English section). The poem appears separately only in the early recension of Ibn Ezra's commentary (edited by Mathews), but it is embedded in the introduction to his later recension, which appears in the Rabbinic Bible; see Cohen, *Three Approaches*, 48n; Alster, "Human Love," 177n.

83. In fact, the conjectural nature of this endeavor prompted many contemporary scholars to reject the so-called "dramatic theory," the belief that there actually is a story line in the Song of Songs, in favor of viewing the work as a collection of lyrics. See Marvin H. Pope, *Song of Songs: A New Translation with Introduction and Commentary* (New York, 1977), 34-37; see also Alster, "Human Love," 23, and references cited there.

84. See Mariano Gómez Aranda (ed. and trans.), *El Commentario de Abraham Ibn Ezra al Libro de Job: Edició crítica, traducción y estudia introductorio* (Madrid, 2004), xxxix-xliv; 4-6, 337-342 (Spanish), 5*-6*, 90*-94* (Hebrew).

engaging in *peshat* exegesis—must then investigate the purpose of the book and the ideas that it was intended to convey. As recent scholarship has shown, this led to widely varying approaches among the medieval exegetes, all of whom believed that they discovered the true theological or religious message of the book.[85]

Yet even before getting to the conceptual dimension of the book, on the level of what Ibn Ezra calls "the interpretation of the words," the *peshat* interpreter must employ conjecture. Both the lengthy dialogues that make up the bulk of the book of Job and the narrative frame that surrounds them leave many gaps for the reader to fill. For example, in Job 1:22, the biblical narrator recounts that even after all of the calamities that befell him, "With all this, Job did not sin"—that is, he did not curse God, as the Satan had wagered with God (Job 1:11). After the further calamities that occur to Job—his being stricken with painful boils—we read: "With all this, Job did not sin with his lips" (Job 2:10). From a philological perspective, this verse is clear. But why did the narrator add the words "with his lips"? Rashi, following the Talmud (*Bava Batra* 15a) infers from this that "he [Job] sinned in his heart." Responding to his grandfather's midrashic reading, Rashbam writes:

> With his lips—Scripture does not wish to testify regarding the thoughts of his heart, but only on what he expressed with his lips. According to the *peshat* of Scripture, he did not sin [at all], neither in his heart nor with his lips. But the language of Scripture can say this.[86]

Rashbam's authoritative tone belies more than a small measure of bias against midrashic inference, even when it might be indicated by the context.[87] Notwithstanding Rashbam's protestations, the text is open to

85. See Mordechai Cohen, "A Philosopher's *Peshat* Exegesis: Maimonides' Literary Approach to the Book of Job and Its Place in the History of Biblical Interpretation" (Hebrew), *Shenaton: An Annual for Biblical and Ancient Near Eastern Studies* XV (2005): 213-64. This disparity becomes more evident when we widen the net of exegetes examined, as evident from the treatment of the "philosophical" exegetical school traced in Robert Eisen, *The Book of Job in Medieval Jewish Philosophy* (New York, 2004). Eisen (4) differentiates sharply between the philosophical and *peshat* schools; to me, however, it seems that in the medieval tradition they were closely related. See Mordechai Z. Cohen, "Review of Robert Eisen, *The Book of Job in Medieval Jewish Philosophy*," *The Journal of Religion* 87 (2007): 137-38.

86. Sara Japhet, *Rashbam on Job*, 351. In the closing remark of this comment ("But the language . . . "), Rashbam means to say that this is a sort of conventional phrase, from which nothing is to be inferred; see Japhet, *Rashbam on Job*, 65-71.

87. Japhet, ibid., 69, argues that Rashbam is correct. However, there does seem to be ample room for Rashi's interpretation, as argued, e.g., by Meir Weiss, *The Story of Job's*

interpretation; the stage director must present the matters according to his taste and perception.

As for the dialogues in Job, they pose a constant challenge to the reader, who must decide the tone in which each was uttered, whether critical or praising, warning or comforting. And the content of the language goes only so far in making this determination from the mute text before the reader. Intriguingly, Naḥmanides seems to have recognized this, although he acknowledges it only in an ironic rejection of Rashi, when grappling with the difficulty posed by the speeches of Elihu (formulated clearly by Maimonides in his *Guide of the Perplexed*).[88] This enigmatic character, who enters the fray after Job's three friends have been silenced, criticizes them for failing to find an appropriate response to Job (see Job 32:3). Yet he goes on to simply reiterate what they already said. Moreover, at the end of the book, we read that God scolds Eliphaz, Bildad, and Ẓophar for "not speaking what is right" (Job 42:7), whereas Elihu is spared from His wrath. All indications, then, suggest that Elihu was somehow superior to the others in his response to Job. Naḥmanides cites a comment by Rashi that seems to address this difficulty:

> I saw that R. Solomon [Rashi], of blessed memory, wrote: "All of the words of Elihu were complete consolation and were not words of criticism: 'Do not worry about the suffering, because it is for your benefit.'"[89]

Naḥmanides notes, however, that the points Elihu raises seem no different from those of Job's three friends. He therefore writes:

> But I do not know in what way these [words] were a consolation and why he [Rashi] considered the [same] words of the friends' to be criticism. Perhaps he [Elihu] said them pleasantly and in a soft voice and the friends said them in a loud voice?[90]

Naḥmanides offers this last possibility ironically, as if to say to Rashi: Who knows what was Elihu's tone of voice? But Naḥmanides actually touches here on an important issue—we do not, in fact, have any way of knowing for certain from the mute text what actually happened. Even if

Beginning (Jerusalem, 1983), 71-73.

88. See Cohen, "Philosopher's *Peshat*," 234-38.

89. Naḥmanides on Job 36:9, in *Kitvei Ramban* (*The Writings of Naḥmanides*), ed. Ḥayyim Dov Chavel (Jerusalem, 1964), vol.1, 109.

90. Naḥmanides, ibid. For the alternative solutions that Naḥmanides—and Maimonides—offer to solve this problem, see Cohen, "Philosopher's *Peshat*," 233-43.

we grant that the tale of Job is historical—a matter debated in rabbinic sources—the literary text is open to interpretation, and the reader must decide how to interpret the words of Elihu.

• • •

The notion of the "untold" part of the story that the reader must supply when "reproducing" the text has been applied productively to Midrash in modern literary scholarship.[91] Clearly, the midrashic authors were not bound by what is written in the text or even what can reasonably be inferred from it directly. While this type of non-philological "interpretation" was once largely disparaged, new approaches to literature that emphasize the dynamic dimension of reading have brought Midrash in particular into favor with modern critics. But this shift in attitude also has implications for "the way of *peshat*." Inspired by the literary teachings of her teacher Ludwig Strauss, Nehama showed how Rashi integrated midrashic creativity into a *peshat* approach. Going a step further in this vein, we have endeavored to show that even the subsequent *pashtanim* who eschewed the "ways of *derash*" manifested substantial creativity, proving that every act of reading is subjective and is the interpreter's own "reproduction of the text."[92]

91. See references above, n. 19. Related to this is the idea of the "interpreted Bible" developed in James Kugel, *The Bible as It Was*; compare the idea of the "re-written Bible," as described, e.g., by Piero Boitani, *The Bible and Its Rewritings* (New York, 1999).

92. We have focused in this essay on the interpretation of biblical narrative, but a similar exploration can be carried out with respect to other biblical genres. In the case of poetry, for example, the notion of the openness of the text might seem less problematic because there is no "real (hi)story" to match with a purported "correct interpretation." Indeed, the theory of New Criticism was often formulated specifically for poetry. See, e.g., Strauss, *Studies in Literature*, 15-32. The genre of biblical law, of course, poses its own complexities, since the Halakhah—a divinely sanctioned legal code—is dependent upon it. Yet the notion that biblical legal texts are open to multiple and even contradictory valid interpretations is precisely the one expressed in the Talmud in the maxim that "Both opinions (lit. these and those) are the words of the Living God" (cited above). On the ways in which Maimonides negotiated the tension between legal interpretive creativity and the objective divine will expressed in the biblical text, see Cohen, *Gates of Interpretation*, 257-80, 287-304, 466-81.On the approach to this matter formulated by Naḥmanides, see Avi Sagi, "Canonical Scripture and the Hermeneutical Challenge: A Critical Review in Light of Naḥmanides" (Hebrew), *Da'at* 50-52 (2003): 121-41; Moshe Halbertal, *People of the Book* (Cambridge, MA, 2007), 50-67.

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YITZCHAK BLAU

Idolatry and Martyrdom

Jewish law requires martyrdom to avoid transgressing murder, idolatry, and sexual immorality, yet two of these cases seem easier to understand than the other. Killing and incest have a reality and force to them irrespective of the motive for their performance. Even when committed under duress, murder leaves a victim dead and incest violates the normal relationship of close family members. Idolatry, on the other hand, would seem to depend upon the motivation of the worshiper. If worship is a function of sincere devotion, then someone who bows down to an idol only due to the threat of a gun pressed to his head does not truly engage in an act of worship. If so, why does Halakhah demand that a Jew relinquish his life rather than engage in compelled idol worship?[1]

1. We could deny the premise of the question and conclude, to borrow a formulation from Haym Soloveitchik, "that idolatry does not require a subjective state of belief, but rather that the quiddity, the very essence of the transgression, lies in the mechanical act itself." Put otherwise, idolatry is "cultic" rather than "credal." Associating paganism with moral degradation makes it easier to view idolatry as cultic. Those who find that view compelling should read this essay as a working out of the logic of martyrdom from the credal standpoint. The cultic view appears unlikely to this author, but I will not work out the argument at length in this context and will only briefly outline my position. Just as prayer or sacrificial rites lack positive religious status absent belief in God, it seems reasonable that the gravity of transgressing the idolatry prohibition should depend on authentic belief in a pagan deity. The internal religious stance of the worshiper defines "worship" more than the physical act in and of itself. I grant that some theologians find value in prayer even absent belief and that others can distinguish between the value of prayer and the problem of paganism. For more on these two views of idolatry, see Haym Soloveitchik, *Collected Essays: Volume II* (Oxford and Portland, 2014), 288-364. The first citation in this note appears on p. 296. Soloveitchik uses the terms "credal" and "cultic" on pp. 326 and 344. Also see Moshe Halbertal and Avishai Margalit, *Idolatry*, trans. Naomi Goldblum (Cambridge and London, 1992), chapter 7, especially 202-13.

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In truth the argument advanced above may find talmudic expression. R. Yishmael argues that a Jew should worship idols to stay alive as long as the act takes place in a private setting. Only in a public forum with ten Jews watching does the Jew need to forfeit his life to avoid idolatry (*Sanhedrin* 74a). Perhaps R. Yishmael endorses the idea that insincere worship does not truly constitute idolatry. Working out the logical basis for R. Yishmael depends on what he would say about the other two cardinal transgressions. One opinion in Tosafot states that R. Yishmael never calls for martyrdom regarding private transgressions.[2] This position does not see R. Yishamel as making a claim about idolatry, but rather a broader statement about life and Halakhah. R. Yishmael thinks that Jewish law so prizes life that it allows the violation of all prohibitions (presuming a private setting) in order to preserve life.[3] On the other hand, a different opinion in Tosafot,[4] *Arukh la-Ner*,[5] *Minḥat Ḥinnukh*,[6] and R. Yeruḥam Fishel Perla[7] assumes that R. Yishmael would require martyrdom to avoid murder or sexual immorality performed in private. Their view suggests that R. Yishamel made a point specific to idolatry; namely, that idolatry depends upon sincerity of intent in a way that murder and sexual crimes do not. Indeed, R. Moshe Ibn Ḥabib writes that idolatry "in private is not a transgression because his heart is loyal to heaven, whereas murder and sexual immorality are *ma'aseh rav* since sexual immorality provides physical pleasure and murder involves the loss of a soul."[8]

Normative Jewish law rejects the position of R. Yishmael and requires martyrdom so as not to transgress idolatry even in private.

2. Tosafot *Avodah Zarah* 27b, s.v. *yakhol*; Tosafot, *Ketubot* 19a, s.v. *de-amar.*

3. David Berger noted in correspondence that applying Tosafot's understanding of R. Yishmael to murder would entail that we cannot simply say that Halakhah so prizes human life that it does not demand martyrdom, since here a life is lost in any case. We would have to go one step further and state that Halakhah grants immense value to human life and that it allows a person to give precedence to his or her own life.

4. Tosafot, *Sanhedrin* 74b, s.v. *ve-ha.*

5. R. Yaakov Ettlinger, *Arukh la-Ner, Sanhedrin* 74a, s.v. *bi-gemara talmud lomar ve-ḥai bahem.*

6. R. Yosef Babad, *Minḥat Ḥinnukh* 296:1.

7. See his commentary on the *Sefer ha-Miẓvot* of R. Sa'adyah Gaon, vol. 2, *Lo Ta'aseh* 33, p. 65. In theory, we could distinguish between murder and all other transgressions, since logic militates against justifying the killing of innocents based on the ideal of preserving life (*Sanhedrin* 74a). In the interest of simplicity and to focus our attention on the case of idolatry, I do not discuss that possibility in this essay. For more sources on this topic, see the entry on *yehareg ve-al ya'avor* in the *Enẓiklopedyah Talmudit,* vol. 22 (Israel, 1995), esp. p. 60.

8. R. Moshe ibn Ḥabib, *Tosefet Yom ha-Kippurim*, *Yoma* 82a, s.v. *Tosafot*, s. v. *mah roẓeah*.

Nonetheless, the argument above may still influence Halakhah. What happens to a person who worships idols because he cannot muster the heroism necessary to give up his life under threat of death? Most *posekim* rule that he does not receive the death penalty for the crime of idolatry. We could explain the absence of punishment based on the category of *ones* and say that a choice made due to such intimidation does not truly constitute a choice. In this vein, Rambam writes that even though this person was obligated to choose martyrdom, "since he sinned under duress, we do not give him lashes, and certainly the court does not put him to death even if he killed under duress."[9] Alternatively, the explanation may be that we do not punish the coerced idol worshiper since he did not really worship idols. Perhaps the argument that worship depends upon sincerity does not alter the obligation to prefer death, but it does mitigate responsibility for the act after the fact.

A potential source for this idea appears in a talmudic debate (*Sanhedrin* 61b):

> A person who worships idols out of love or fear: Abbayei says he is liable and Rava says he is exempt. Abbayei says he is liable because he worshipped. Rava says he is exempt. If he accepted it as a divinity, then yes; if not, not.

What precisely is the scenario of "out of love" or "out of fear"? Rambam, surprisingly, explains that the person loves the idol itself; he is enamored of its shape or he finds it pretty. Out of fear refers to fear that the idol will harm him.[10] As many commentators point out, this makes Rava's position quite difficult to accept; someone who fears that a given idol will harm him apparently attributes divinity to that idol and should be liable for idol worship.[11] Therefore, most commentators explain that the idolater is motivated by fear and love of another human being. Fear of a person could involve different levels of severity. Ramban argues that the *gemara* does not discuss trepidation regarding loss of life because then Abbayei would agree that the idolater is exempt from punishment.[12] If Ramban understands the *gemara* as discussing lower grade fears, such as social pressure or financial loss, then why does Rava not see the perpetrator as fully responsible and liable for punishment? The category of *ones* should no longer apply. This returns us to the argument that insincere worship does not constitute worship.

9. *Hilkhot Yesodei ha-Torah* 5:4.
10. *Hilkhot Avodah Zarah* 3:6.
11. Meiri, *Sanhedrin* 61b, s.v. *ha-oved*, *She'elot u-Teshuvot ha-Rivash* no. 110.
12. *Ḥiddushei ha-Ran, Sanhedrin* 61b, s.v. *itmar*.

Of course, such analysis still leaves open the question of why this argument absolves punishment but does not remove the requirement to choose martyrdom in the first place. We shall outline two answers, one explicit in our traditional sources and the other explicated well by a contemporary Christian theologian.

Let us begin with the categories of *kiddush Hashem* and *ḥillul Hashem*. If the oppressor demands that a Jew transgress any law in a public forum, Halakhah requires that the Jew become a martyr and avoid desecrating God's name. According to the *gemara* (*Sanhedrin* 74b), this law applies only if the oppressor wants to make the Jew violate Jewish principles, and not if he simply seeks self-gratification. Thus, Esther did not have to give up her life rather than be with Aḥashverosh, despite the public's knowledge of her behavior, since the Persian king sought his own hedonistic pleasure and was not trying to make a Jewish woman sin. This entire category depends on the existence of an audience that may be influenced by what they witness, and the effect on the audience changes based on the motivations of the oppressor. When he puts Judaism on trial to test the commitment of a Jew, then the audience will either be heartened by Jewish resistance or dismayed by Jewish compliance. A ruffian simply pursuing his own pleasure does not generate the same communal dynamic.

The *gemara* about martyrdom mentions *kiddush Hashem* and *ḥillul Hashem* only when discussing public transgressions and not when discussing the three sins that require martyrdom even in private. Logic dictates that those categories do not apply to private sins lacking an audience. The call for martyrdom with reference to murder, idolatry, and sexual immorality stems from the grievous nature of these acts (*ḥumrat ha-averah*), and not from a desecration of God's name or the sin's impact on other people.

This point emerges clearly from an argument advanced by Ramban. Does the motivation of the oppressor play any role in determining the law regarding the major sins in private? R. Zeraḥyah ha-Levi answered in the affirmative.[13] According to him, Esther's relations with Aḥashverosh were the kind of sexually problematic act avoidance of which demands martyrdom (even if performed in private) but the self-gratification motive of the king neutralized the need for martyrdom. Although the *gemara* applies this factor only to

13. *Ha-ma'or ha-Gadol*, *Sanhedrin* 74b, s.v. *Abbayei amar.*

the category of public sins, R. Zeraḥyah applies it to the private realm as well. In theory, he thinks the same would apply to idolatry; it is only the practical difficulty of conceiving a self-gratification motive in the context of idol worship that prevents the application. Someone who intimidated a Jew into idol worship presumably wants the Jew to violate Jewish law. Yet in principle, R. Zeraḥyah maintains that this factor could influence the halakhah regarding idolatry. Ramban, however, denies that the motivation of the oppressor should make a difference since "the three *averot ḥamurot* are not prohibited because of *kiddush Hashem*."[14] Ramban's approach seems eminently reasonable; murder and adultery/incest are severe transgressions whose severity does not depend on the motivation of the oppressor. If so, why does R. Zeraḥyah disagree regarding sexual immorality?

Rambam adds to the mystery when he describes martyrdom for the three major sins as a sanctification of the divine name and failure to achieve the heights of self-sacrifice in that context as a desecration of God's name.[15] As *Minhat Ḥinnukh* notes, this position lacks talmudic support, since the *gemara* mentions these factors only regarding the public forum.[16] Beyond the search for an early source, the logic of this position also proves difficult. We usually conceive of *kiddush* and *ḥillul Hashem* as depending upon an audience affected by our behavior. How could these factors prove operative in a scenario involving just an oppressor and his victim?

Rambam himself offers a solution to this dilemma. When describing martyrdom in his *Sefer ha-Miẓvot* in the context of the commandment to sanctify God's name, Rambam writes:

> And even when a strong oppressor comes who desires that we deny God, we will not listen to him and we will give ourselves up to death and not mislead him into thinking that we deny, even though our hearts are loyal to God.[17]

In other words, there is an always an audience potentially affected by our decision—the oppressor himself. Granted, the oppressor knows that he coerces the Jew into idolatrous worship; nonetheless, he clearly wants to bring about such behavior and apparently views it as some kind of

14. *Milḥamot Hashem*, *Sanhedrin* 74b, s.v. *ve-od Abbayei amar.*
15. Rambam, *Mishneh Torah*, *Hilkhot Yesodei ha-Torah* 5:4.
16. R. Yosef Babad, *Minḥat Ḥinnukh* 296:13.
17. Rambam *Sefer ha-Miẓvot*, *miẓvat aseh* 9.

victory for his pagan beliefs. To prevent this from happening, Halakhah demands that the Jew give up his life just as it requires the same for other sins when ten Jews are watching. R. Avraham Borenstein offers such an explanation of Rambam in his *Avnei Nezer*. A potential formulation of this point states that coerced idolatry is not an act of idolatry, but rather a desecration of God's name. It becomes readily apparent why a Jew who failed at this required martyrdom would not receive the death penalty for idol worship. This position also accounts for how R. Zeraḥyah could apply the criteria of *hana'at aẓman,* the self-gratification motive of the oppressor, to idolatry and sexual immorality. Since martyrdom in these instances is a function of *kiddush Hashem*, the motivation of the oppressor matters.[18]

Though the oppressor constitutes a legally significant audience regarding idolatry, he does not with reference to other transgressions. A Jew threatened by an oppressor into eating pork or desecrating Shabbat would be allowed, or perhaps even obligated, to do so despite the audience of one. There, only an audience of ten Jews creates a demand for martyrdom. *Avnei Nezer* will have to argue that there is something more fundamental and influential about the choice to worship idols; therefore, the impact on even one gentile oppressor changes the law. For other sins, only the wide reaching impact of ten Jews witnessing the event generates the obligation of martyrdom.[19]

One talmudic story (*Avodah Zarah* 18a) gives poignant expression to the impact a martyr can have on members of the oppressing culture. When R. Ḥanina ben Teradyon publically ignored a Roman edict against studying Torah, the Romans chose to put him to death in a slow and excruciatingly painful manner. They lit a fire around R. Ḥanina but placed wet sponges upon him so that the burning would proceed slowly. A Roman executioner was so impressed by the heroism of R. Ḥanina that he increased the flame and removed the sponges so that R. Ḥanina could perish in a less painful fashion. He then jumped into the fire himself, having been assured by this rabbinic sage that he would merit a place in the World to Come. Though this episode is not about idolatry, it does highlight the impact that witnessing the dedication of a martyr can have even upon the enemy. This helps bolster *Avnei Nezer*'s suggestion.[20]

18. R. Avraham Borenstein, *She'elot u-Teshuvot Avnei Nezer* 128:4-5, 131:5.
19. I thank David Berger for raising the point addressed in this paragraph.
20. I thank David Flatto for suggesting the relevance of this story.

Thus far, we have advanced one explanation for why Halakhah demands martyrdom in the case of coerced idol worship. Is there an alternative for those who do not find this analysis compelling, for those who argue that Halakhah would always care about the impact on a crowd of Jews but not about the effect on one evil oppressor?

Robert Adams, an important contemporary Christian philosopher, develops a significant option.[21] A story from the biography of Dietrich Bonhoeffer helps our understanding of this fresh approach. Bonhoeffer was a leader of resistance to Hitler who was ultimately executed for participating in a plot to kill the German dictator. In June 1940, Bonhoeffer and a friend were sitting in a German café when news of the French surrender came over the café's loudspeaker. As all of the patrons celebrated and gave the Nazi salute, Bonhoeffer joined in and encouraged his hesitant friend to do so as well. Pragmatically, Bonhoeffer was certainly correct. He would accomplish nothing by refusing to participate and his participation helped keep his cover, thereby enabling further efforts to work against Hitler's evil regime. Yet there is a less pragmatic way of thinking about what Bonhoeffer should have done. Adams's comment is to the point.

> I do not think it would have been "crazy" to have refrained from the salute, even if it would have involved some sort of martyrdom. . . . Even if we think that Bonhoeffer's path of secret and ultimately conspiratorial opposition was defensible, and maybe heroic, I imagine that most of us, perhaps all of us, will feel that it would also have been admirable to have refused to give the Hitler salute.[22]

Adams explains that a martyr testifies about what he is for or against. In fact, the original meaning of the word "martyr" is to witness or testify. "Refusal to engage in behavior expressive of loyalty to Nazism is an important way of being against Nazism."[23] We can evaluate the goodness and badness of actions not only in terms of what they cause, but also regarding what they symbolize or stand for. Adams writes that this remains true even if the particular symbols in question are matters of convention. "Expressing love of the good, and opposition to the bad, is naturally and intrinsically good, though the form it takes is variable

21. Robert Merrihew Adams, "Symbolic Value," *Midwest Studies in Philosophy,* vol. 21, ed. Peter A. French, Thedore E. Uehling, Jr., and Howard K. Wettstein (Notre Dame, 1997), 1-13.
22. Adams, 3.
23. Ibid.

and conventional."[24] Symbolic actions express what we truly identify with and care about most deeply, irrespective of the consequences they produce. Such actions harbor intrinsic moral and religious worth.

A different example may help illustrate the point. Let us say someone offered you a million dollars to loudly proclaim to everyone in the room that your mother is a whore. Even if the entire room knew you were only doing it for the money, you might refrain. It is simply an expression that you are unwilling to identify with on any level. Along the same lines, a person passionately committed to the truths of monotheism will remain unwilling to engage even in a false show of adherence to pagan polytheism. Loyalty to the benevolent and true God lies at the very core of his identity so that he could not imagine any prostrations before an idol of Jupiter. While someone could agree with this idea and still find the need for martyrdom too extreme, it does clarify that acts of loyalty, identification, and worship have intrinsic import even when an oppressor coerces the behavior.

Adams adds:

> And while it is certainly possible to be for or against evil without expressing that openly, it is not easy. If you express explicitly, sincerely and openly, to your friends at least, your Christian faith or your hatred of Nazism, you take a stance. You are for Christianity; or you are against Nazism. Now suppose that, under the pressure of persecution, and perhaps justifiably, you suppress all outward expression of your loyalties. After a while you yourself may begin to wonder how much reality there is in your opposition to Nazism. Are you actually opposed to it, or do you only wish you could be?[25]

To clarify, I do not think Adams's mention of wondering later about the strength of revulsion for Nazi ideology moves the analysis to a more consequentalist viewpoint arguing that compliance to evil under pressure ultimately undermines our ability to fight evil. Rather, the retrospective evaluation highlights the significance of the symbolic action per se. Someone utterly opposed to Nazism would find it almost impossible to give the Hitler salute. Therefore, any individual who did so will ultimately confront the question of the force of his beliefs.

This approach helps clarify two other *halakhot* regarding martyrdom. R. Yosef Karo rules that a Jew must choose martyrdom before

24. Ibid., 5.
25. Ibid.

declaring himself a gentile.[26] From the perspective of evaluating sinful behavior, this makes little sense, since such declarations do not violate any specific *halakhah*. From Adams's perspective, this law becomes understandable, since what could be a greater abdication of what we stand for than to deny one's Jewishness? Along similar lines, a Jew must choose martyrdom before professing adherence to Islam. A questioner asked R. David ibn Zimra why this should be the case; after all, Islam is not idolatrous, nor does it call for murder or sexual immorality. Radbaz answered that affirming Islam constitutes the nullification of the entire Jewish religion. Declaring that a prophet superior to Mosheh emerged destroys the foundation of our religion since the latter prophet can abrogate the *miẓvot*. Furthermore, adopting another religion's practices invariably means that one will ultimately violate Jewish law.[27] Note that Radbaz frames the argument in terms of transgressing halakhic norms. In contrast, R. Ẓadok Ha-kohen from Lublin states that we greatly value the affirmation of Jewish identity per se even irrespective of halakhic observance. That explains why a Jew must choose martyrdom before declaring adherence to Islam. R. Ẓadok's focus on identification beyond the question of concretely sinful behavior is reminiscent of Adams.[28]

Second, Jewish law demands that a Jew give up his life rather than transgress any law at a time of religious persecution (*Sanhedrin* 74a). The *gemara* extends this obligation to a case of coerced change of shoelaces (*Sanhedrin* 74b). Although some commentators present other understandings, Rashi explains that the Jews customarily wore different laces than their gentile neighbors and that the clothing choice in question does not touch upon concrete halakhic violations but only on communal customs.[29] Why should the Torah demand that a Jew relinquish his life rather than wear the same shoelaces as his gentle neighbors when wearing such laces involves no transgression?

Answering this question begins with a more general investigation of the logic of *she'at ha-shemad*, the legal category of a time of religious persecution. Rashi explains that giving in once in such a context encourages gentile oppressors to take further steps against the Jewish community and its laws. When the enemy wants to stamp out any practice from the totality of the Jewish community, we need to draw a red line so that

26. R. Yosef Karo, *Shulḥan Arukh, Yoreh De'ah* 157:2.
27. *She'elot u-Teshuvot Radbaz* 4:92.
28. See *Ẓidkat ha-Ẓaddik* no. 54.
29. Rashi, *Sanhedrin* 74b, s.v. *arkisa de-misana*.

the legislation does not initiate a pattern.[30] The particular violation might not demand the defiance of a martyr, but the fear of where it will lead does. In contrast, Rabbenu Nissim[31] and R. Meir ha-Levi Abulafia[32] raise the possibility that *kiddush Ha-Shem* motivates the *halakhah* of *she'at ha-shemad* as well. Once again, we can ask how sanctification of the divine name occurs in reference to a challenge often occurring in a more private setting. R. Nissim says: "If he adheres to their edict, even in an inner chamber, the matter will become publicized because they will find that their edict was effective." This approach argues that tyrannical governments investigate the impact of their decree and invariably discover something of the Jewish response. Therefore, even private moments are included in our collective calculation.

If we follow Adams's approach, we can offer an alternative suggestion that nicely incorporates the case of the shoelaces. When an oppressive government works towards the large scale nullification of a Jewish practice, we need to communally affirm what we stand for in defiance of another's ability to define the parameters of Jewish practice. The specific act might not be of grand religious import, but the context of persecution calls for an avowal of our communal values and ideals. If so, even a custom about the color of shoelaces takes on ultimate import. It is not the severity of the act that matters, but the affirmation of a Jewish identity consisting of the independence to establish our own norms and ideals. Letting some foreign body dictate Jewish communal practice means relinquishing what we stand for.

Having outlined two justifications of the halakhic call for martyrdom to avoid idolatry, we can also understand why those on either side would reject the alternative approach. Those in the Adams camp disagree with *Avnei Nezer* and argue that the impact on one oppressor is not sufficient cause for a victim to relinquish his life. Only the broad impact on ten witnessing Jews generates enough force to call for martyrdom. Conversely, those siding with *Avnei Nezer* might admit that symbolic acts of loyalty matter, but do not see them as weighty enough to motivate loss of life.

To return to where we began, worship may indeed depend on the authentic conviction of the worshiper. Thus, R. Yishmael does not demand martyrdom in the case of private idolatry, and the person

30. Rashi, *Sanhedrin* 74a, s.v. *ve-afilu mizvah kallah yehareg ve-al ya'avor*.
31. *Ḥiddushei ha-Ran, Sanhedrin* 74a, s.v. *aval be-she'at ha-gezerah*.
32. *Yad Ramah*, *Sanhedrin* 74a, s.v. *ki ata*.

who fails his halakhic duty and worships under threat of death is not considered an idolater for the purpose of receiving the death penalty. At the same time, we understand the halakhic consensus that a Jew should choose death over coerced idol worship. Either we want to send the truthful message to the small audience consisting of the oppressor himself or we need to express what we most passionately and deeply identify with and fight against. Jews who gave up their lives rather than endorse other religions were not acting irrationally or pointlessly. On the contrary, they were standing up for ideals worth sacrificing for.

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ROBERT EISEN

Rabbi Eliezer Yehudah Waldenberg on the Justification of War

In the recent and growing body of literature on war in Halakhah, R. Eliezer Yehudah Waldenberg (1915-2006) is perhaps best characterized as a figure of moderate importance. On the one hand, he produced a pioneering work on this subject as part of a three-volume set on Halakhah and politics, *Hilkhot Medinah*.[1] Written in the 1950s, this work was one of the first attempts by a major halakhic authority living in the newly-established state of Israel to deal with the reality and consequences of the Jewish return to political power. Moreover, R. Waldenberg authored several responsa on war that appear in his massive 22-volume collection of responsa, *Ẓiẓ Eli'ezer*.[2] On the other hand, R. Waldenberg's treatment of war in *Hilkhot Medinah* is of little practical importance because of its utopian character. Much of the discussion in this work is on such issues as the structure of the army in biblical times and the laws for maintaining holiness within the army camp, topics that would be of little relevance to a modern and secular Israeli army. By contrast, not much attention is paid to such timely issues as combat ethics. As for R. Waldenberg's responsa on war, while some of them deal with practical issues, the number of responsa focused on war occupy only a tiny fraction of his *Ẓiẓ Eli'ezer.*

1. *Sefer Hilkhot Medinah* (Jerusalem, 1951).
2. *Ẓiẓ Eli'ezer* (Jerusalem, 1945-1994).

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Against this background, it is not surprising that although R. Waldenberg's views on war are cited in modern halakhic and academic discussions of this topic, it is not with as much frequency as those of other halakhic authorities.[3] Yet, there is an element of R. Waldenberg's halakhic views on war that deserves special attention, and that is his treatment of the justification of war. This issue is worth examining, first, because of its importance within the context of recent discussions of war in Halakhah in general. The justification of war is not the focus of much concern in medieval halakhic sources, but it becomes a central topic of discussion among halakhic authorities after the founding of the State of Israel and the establishment of a Jewish army for the first time since the first century.[4] Second, R. Waldenberg's views on the justification of war point to issues that are of broad significance to current debates about war among social scientists—even though R. Waldenberg was not necessarily aware of such debates.

Before we examine R. Waldenberg's views, let us first define more precisely what we mean by "the justification of war." We are not concerned here with whether in principle war can be waged. No halakhic authority medieval or modern would ever doubt that war is permissible under the right circumstances. After all, the Bible itself is filled with wars, some of which are directly commanded by God. The problem for modern halakhic authorities in justifying war is how to get around two major halakhic obstacles that present themselves whenever a Jewish government sends an army into combat. The first is that according to Halakhah, one cannot force an individual to endanger his life in order

3. The legacy of R. Waldenberg's treatment of war in Halakhah is discussed by Yosef Aḥituv, "*Min ha-Sefer el ha-Sayyif: Al Demuto ha-Hazuyah shel ha-Ẓava ha-Yisra'eli al pi ha-Torah ba-Shanim ha-Rishonot le-Kum ha-Medinah*," in *Shenei Evrei ha-Gesher: Dat u-Medinah be-Reshit Darkah shel Yisrael*, ed. Mordechai Bar-On, Ẓevi Zameret (Jerusalem, 2002), 425-31. The following are examples of recent studies on war in Halakhah in which R. Waldenberg's views are cited and analyzed: Michael J. Broyde, "Just Wars, Just Battles, and Just Conduct in Jewish Law: Jewish Law is Not a Suicide Pact!" in *War and Peace in the Jewish Tradition*, ed. Lawrence Schiffman and Joel B. Wolowelsky (New York, 2007), 2-3; Yiẓḥak Avi Roness, "*Al Musariyyutah shel ha-Milḥamah be-Sifrut ha-Halakhah ba-Me'ah ha-Esrim*," in *Sefer Amadot: ha-Kippah ve-ha-Kumta*, ed. Moshe Raḥimi (Elkanah/Reḥovot, 2010), 202-4. Both Broyde and Roness are academics and rabbis, and they therefore approach the subject of war in Halakhah from a perspective that combines an academic orientation with constructive ethics.

4. As we shall see below, even in the nineteenth century, this issue begins to crop up among halakhic authorities, due in part to the fact that in Europe, young Jewish men, who were now citizens of European countries, were being drafted into the armies of those countries.

save the life of another. It is therefore not clear why a government should be allowed to conscript soldiers against their will and send them into battle, even for the sake of defending their country. The second obstacle is that while Halakhah certainly allows an individual to kill an attacker in self-defense, it does not allow one to do so if it means that innocent people are killed as well. Yet, in war the latter occurs all the time; innocent civilians inevitably die when wars are fought. In short, war needs to be justified in Halakhah because it is not immediately apparent what allows a Jewish government to endanger its own soldiers or enemy civilians, even for a just cause.[5]

The first problem regarding the risk that war presents to Jewish soldiers receives a good deal more attention from recent halakhic authorities than the second, and R. Waldenberg is typical in this regard. When dealing with the justification of war, he too focuses primarily on the question of how war can be waged if soldiers are required to risk their lives in battle. Our analysis will therefore focus on R. Waldenberg's treatment of this specific issue.

The question of justifying war is first raised by R. Waldenberg in the second volume of *Hilkhot Medinah* in a chapter devoted to discretionary war (*milḥemet reshut*). R. Waldenberg asks specifically why we are allowed to endanger Jewish lives in this type of war.[6] He does not elaborate on the motivation for this question, but it appears that he is bothered by the moral challenge that discretionary war raises. Unlike mandatory wars

5. A number of halakhic authorities deal with these problems. Among the most prominent are R. Abraham Isaac Kook, *Mishpat Kohen* (Jerusalem, 1966), #143, pp. 308, 315; R. Shaul Yisraeli, *Ammud ha-Yemini* (Tel Aviv, 1966), ch. 16, pp. 189-205; R. Shlomo Goren, *Meshiv Milḥamah* (Jerusalem, 1986), 3: 268-72; J. David Bleich, "Preemptive War in Jewish Law," *Contemporary Halakhic Problems* (New York, 1989), 3: 274-77. A wonderful overview and analysis of the problems involving the waging of war is found in Nahum Rakover, *Mesirut Nefesh: Hakravat ha-Yaḥid le-Haẓalat ha-Rabbim* (Jerusalem, 2000), ch. 9.

6. *Hilkhot Medinah* (henceforth *HM*) 2:119. This chapter is reproduced in a responsum in *Ẓiẓ Eli'ezer* 20:#43, pp. 103-13. While this responsum was composed later than any of the texts we will examine, I still regard the discussion on the justification of war contained in it as R. Waldenberg's earliest treatment of this issue. The responsum was composed to answer a question posed to him about the role of Sanhedrin in waging war. R. Waldenberg answers his questioner by noting that he has already dealt with this issue in a chapter in *Hilkhot Medinah*, but since the book was no longer in print, he writes that he will answer the questioner by simply reproducing that entire chapter verbatim. Thus, while the discussion of the justification of war is indeed included in this responsum, it is clear that R. Waldenberg's purpose here is not to revisit this particular matter, but rather to answer the questioner who has asked about the role of the Sanhedrin in war.

(*milḥemet miẓvah*), discretionary wars are not commanded directly by God, nor are they fought necessarily for defensive purposes.[7] Why, then, may a king risk the lives of his soldiers in order to fight this kind of war?

R. Waldenberg responds by arguing that discretionary wars are permitted because war in general functions by its own set of halakhic norms that are different from those that govern everyday life.[8] The reason war has this special status is that it is a universal and natural phenomenon, and all nations are therefore allowed to engage in this activity. The presumption here seems to be that if war is universal and natural, it must have the approval of the divine will despite the loss of life it incurs.

As his discussion proceeds, it becomes clear that R. Waldenberg's inspiration for this position ultimately comes from R. Naftali Ẓevi Yehudah Berlin (1817-1893), better known as Neẓiv. Neẓiv makes the argument that R. Waldenberg is presenting here in a remarkable and often-cited passage in his commentary on the Torah, *Haʿamek Davar*. The passage is a gloss on Genesis 9:5, in which God addresses Noah immediately after his exit from ark and reiterates the prohibition against murder: "But for your own life-blood, I will require a reckoning . . . for every man for that of his fellow man." On this verse, Neẓiv comments as follows:

> When is a person punished [for murder]? At a time when one is supposed to act with fellowship [toward others], which is not the case in a time of war and a time of hatred. In that instance, it is a time to kill, and there is no punishment for it at all, for that is the way the world was founded (*kakh nosad ha-olam*). An Israelite king is even permitted to wage discretionary war, although a number of Israelites will be killed because of this.

Neẓiv focuses on God's statement that He will require a reckoning of a man who kills his "fellow" man. According to Neẓiv, only in times when men treat each others as "fellows" is there a prohibition against murder. Since that is not the case in war, which is characterized as a time of hate, killing in war is permitted. Neẓiv also adds the important comment that killing in war is permissible because "that is the way the world was founded." He appears to imply here that war is a natural activity built into the

7. The most authoritative discussion of categories of war in classical Halakhah is contained in Maimonides' *Mishneh Torah*, *Hilkhot Melakhim*, ch. 5. Here and elsewhere in my discussion, I will therefore presume that this is R. Waldenberg's scheme unless I specify otherwise.

8. My analysis does not follow the precise sequence of the arguments presented by R. Waldenberg in order to provide a clearer exposition of his views than he himself does.

fabric of the human world.[9] Neẓiv supports his views on the permissibility of war with Tosafot's reading of a talmudic passage in *Shevu'ot* 35b, according to which a king may sacrifice up to one-sixth of his army in a discretionary war.[10] While this source only provides dispensation for the king to endanger his own soldiers in war, Neẓiv seems to assume that it provides license for killing the enemy as well.[11]

R. Waldenberg also argues that R. Abraham Isaac Kook (1865-1935) is in agreement with Neẓiv. Before we take a look at the passage that R. Waldenberg cites from R. Kook to make his case for this connection, some background is needed. R. Waldenberg's citation of R. Kook is taken from a lengthy and complex exchange that R. Kook had with his contemporary, R. Shlomo Zalman Pines, about whether one is allowed to give up one's life in order avert danger to the Jewish people as a whole, both in war and non-war situations. In the course of the exchange, R. Pines claims that one is allowed to violate even the most serious of prohibitions in order to ensure victory in a mandatory war, and he cites as proof the biblical example of Yael.[12] According to rabbinic tradition, Yael agreed to engage in sexual relations with Sisera as part of her scheme to kill him and save the Israelites from the Canaanites, whose army Sisera had just led into battle against them.[13] Engaging in illicit sexual relations is forbidden even on pain of death,[14] and yet Yael is lauded by the rabbis for her actions on behalf of the Jewish people, a clear indication

9. Some commentators reject this reading and claim that Neẓiv's intent is only that war is a universal convention among human beings for the purpose of settling conflicts. That is, "the world" that "was founded" such that war has become ubiquitous is the world of human convention, not the world of nature. This appears to be the manner in which R. Shaul Yisraeli understood Neẓiv's position in his famous essay on the Kibiyeh operation, and R. Yisraeli adopted this position as his own as well. R. Yisraeli's essay originally appeared as "*Takrit Kibiyeh le-Or ha-Halakhah*," in *Ha-Torah ve-ha-Medinah* 5-6 (1953-4): 71-113, and later in a slightly expanded version in the collection *Ammud ha-Yemini*, ch. 16, pp. 168-205, under the title, "*Pe'ulot Ẓeva'iyyot le-Or ha-Halakhah*." Yitshak Kofman also rejects the notion that Neẓiv saw war as natural. See his article, "*Et Milḥamah ve-Et Shalom al pi ha-Neẓiv*," *Merḥavim* 6 (1997): 285-97. This matter is also discussed by Aḥituv, 344-45, and Roness, 201-2. However, I believe that the reading of Neẓiv according to which war is an expression of human nature is the better one because it reads less into the text than the alternative interpretation. Attempts to deny that Neẓiv viewed war as natural betray an apologetic intent. It also appears that R. Waldenberg adopted the first reading, not the second.

10. Tosafot, *Shevu'ot* 35b, s.v. *de-katla aḥad mi-shita be-alma*.

11. *HM* 2: 120-21.

12. Judges 4:17-24.

13. *Yevamot* 103a; *Nazir* 23b; *Horayot* 10b.

14. *Sanhedrin* 74a.

that the drive for victory in mandatory war takes precedence over the commandments.[15]

R. Kook firmly rejects R. Pines's opinion, and the passage in which he responds to R. Pines is cited by R. Waldenberg in full as proof that R. Kook supported Neẓiv's views on war:

> Where have we found a dispensation for [committing sins involving] illicit sexual relationships with respect to mandatory war (*milḥemet miẓvah*)? Even [with] other prohibitions, we find no dispensation—except for those matters that they [i.e., the rabbis] allowed in the [army] camp, as recorded in *Eruvin* 17, and all the [dispensations] for [eating] forbidden foods and the like, when they [i.e., the soldiers] cannot find permitted [food], [all this] in accordance with Maimonides' [ruling] in [*Laws of*] *Kings* 8:1. And in this [matter], there is no difference between mandatory war and discretionary [war]. And aside from [the dispensations for] these prohibitions, there are no [other] dispensations, even in mandatory war. Moreover, one cannot by any means infer anything from the fact that in it [i.e., war] *we expose ourselves to the dangers of killing and being killed in accordance with the nature of the world*. For that is the very commandment [of war]. [We do not make this inference] just as we do not infer from [the case of] those worthy of the death penalty whom we kill in order to fulfill the commandment pertaining to them, each one in accordance with his judgment, [and fulfill] as well as the general positive commandment of "rooting out the evil in your midst" [Deut. 13:6, 21:21, 22:22]—to say that there is a commandment that is not pushed aside because of [the imperative] of saving lives. For this is the essence of the commandment [of imposing the death penalty]. Whatever the case, from the explanation for the matter of the dispensation of sending [soldiers to be exposed] to the dangers of wars, whether it [i.e., this dispensation] is something unique in being part of the laws of kings, or [unique] in some other fashion—one does not by any means make a ruling from it regarding other prohibitions [in war].[16]

R. Kook rebuts R. Pines's interpretation of Yael's actions by arguing that war does not give us wholesale license to violate the commandments, and certainly not a commandment as serious as the prohibition against adultery.[17] Indeed, R. Kook admits, there are some commandments that

15. R. Pines's entire correspondence is found in Rakover. See p. 224 for the passage we are examining here, and pp. 142-43 for Rakover's explication of it.

16. *HM* 2, 120; R. Kook, *Mishpat Kohen* #144, pp. 326-27. The emphasis in this passage is mine and will be explained below.

17. In subsequent discussion, R. Kook claims that Yael's behavior was nonetheless justified because she was acting according to the principle of *hora'at sha'ah*, a principle that allows the rabbis to use extraordinary measures in situations in which the well-being of the entire Jewish people is being threatened.

R. Kook's remarks here and R. Waldenberg's approval of them cast doubt on Broyde's assertion (p. 4) that Halakhah would allow a Jewish army to send a woman

the rabbis allowed Jewish soldiers to violate while fighting a war, such as certain prohibitions involving prohibited foods. However, these are exceptions, and beyond them there are no dispensations. R. Kook also preempts any argument that in war all commandments can be violated in order to achieve victory because war requires us to override the specific commandment to preserve life at all costs and that the same thinking can therefore be applied to other commandments as well. The very essence of the commandment to wage war requires the taking of life, and thus nothing is being "overridden" here. Consequently, the permission to take lives in war cannot be used as precedent for disregarding other commandments. The same point can be illustrated with the administering of the death penalty, which also should not be viewed as overriding the commandment to preserve life; in that case as well, the very essence of the commandment to implement the death penalty requires the taking of life.

What does all this have to do with R. Waldenberg's views on war? First of all, R. Kook affirms R. Waldenberg's contention that war is governed by unique halakhic norms in allowing a king to send soldiers into combat despite the dangers involved—although R. Kook emphasizes that one must not use this dispensation to justify other violations when fighting a war. However, in R. Waldenberg's subsequent discussion, it becomes clear that just as important for him in this passage is R. Kook's reference to war as an activity in which "we expose ourselves to the dangers of killing and being killed in accordance with the nature of the world," the statement highlighted in the citation above. The last phrase is taken by R. Waldenberg to allude to the position of Neẓiv, for whom war is justified because "that is the way the world was founded." Consequently, after summarizing R. Kook's views, R. Waldenberg informs us that R. Kook "alluded with this—[that is,] with the essential notion that war is different [from ordinary activities]—to the words of

to seduce an enemy army general in order to elicit valuable information from him. Broyde's remarks on this issue are part of a wider argument he makes that Halakhah gives Jewish military planners wide latitude to violate halakhic norms in order to achieve victory, and he prominently features R. Waldenberg and R. Kook as authorities supporting this approach (p. 2). However, as we see here, both R. Waldenberg and R. Kook explicitly rule out the notion that a woman may in principle transgress sexual prohibitions as a matter of military strategy. I have similar doubts about Broyde's use of R. Waldenberg and R. Kook to justify other actions in war, such as the use of torture to elicit information from the enemy.

Neẓiv . . . ."[18] That is, R. Kook's comments on the justification of war are taken to be a deliberate attempt to explain the views of Neẓiv. R. Waldenberg believes that like Neẓiv, R. Kook holds the view that a king may endanger the lives of his soldiers in war because war is a natural phenomenon and thus has divine approval.

In the course of his discussion, R. Waldenberg also cites verbatim another passage from R. Kook's exchange with R. Pines that elaborates on the special halakhic norms that govern war:

> The concerns of the issue of wars are separate from this matter of "you shall live by them" (Lev. 18:5). For discretionary war (*milḥemet reshut*) is also permitted, and how is it that we find a dispensation to place many lives in danger for the sake of expansion [of territory] (*harḥavah*)?[19] But war and the laws of the collective are different [from those of the individual]. Perhaps it [i.e., the body of laws regarding war] was part of the laws of kingship that were undoubtedly many [in number] and given to the nation…. Among them [i.e., the laws of kingship] are also laws of war, both mandatory war and discretionary war.[20] But it is impossible to learn from this [i.e., the laws of war] about another area [i.e., the laws governing individual behavior].[21]

R. Kook informs us that a solider is required to endanger his life in war, even though in normal situations, the passage in Leviticus commanding "and you shall live by them" ordinarily absolves one of the obligation to risk one's life in order to fulfill a commandment. The reason that war is exceptional is that it is governed by a sector of Halakhah that is communal in focus, and these laws are completely separate from the norms that govern individuals in everyday life. Proof for the exceptional nature of war is that a king is permitted to wage a discretionary war for the expansion of territory, a cause that does normally justify the loss of life.

The connection that R. Waldenberg makes between the views of Neẓiv and R. Kook regarding war as a natural phenomenon is also elaborated upon in a passage that appears later on in R. Waldenberg's responsum:

> Moreover, from the words of the explanations of *Ha'amek Davar* and *Mishpat Kohen* emerges and sprouts the seed of a distinction that the

18. *HM* 2, 120.
19. See Maimonides, *Mishneh Torah*, *Hilkhot Melakhim* 5:1, where we are told that discretionary wars can be waged for this purpose.
20. The last two sentences appear only in the original text of R. Kook. I have included them here because they make the passage more understandable, and R. Waldenberg appears to have assumed that his reader would be familiar with the full text.
21. *HM* 2, 120; *Mishpat Kohen* #143, pp. 315-16. R. Waldenberg's text of R. Kook has minor differences from the published version. I have translated from the latter.

> matter of exposing oneself [in war] to "the dangers of killing and being killed in accordance with the nature of the world" is different [from other matters], and that one [may] say [about war] that "that is the way the world as founded." We have found something like this [notion] also in the book *Shem Aryeh* (14:27), who writes by way of explanation that [with regard to] even those things that are a source of danger, when it concerns a matter that is [in accordance with] the custom of the world and is by way of necessity, one should not be wary etc. And similarly, it is permissible to [engage] in every matter that is necessary for the world, such as going to war, which is [a situation of] certain danger—even a discretionary war.[22]

In this passage, R. Waldenberg assumes that R. Kook and Neẓiv both view war as a natural activity. A clear equation is made between R. Kook's statement that war is "in accordance with the nature of the world" and Neẓiv's view that war is permitted because "that is the way the world was founded."

Moreover, R. Waldenberg informs us here that the viewpoint of Neẓiv and R. Kook is in turn explained by Shem Aryeh.[23] Shem Aryeh briefly alludes to the issue of war in a responsum dealing with the general question of how one should assess whether an action is dangerous enough to one's life to render it forbidden from a halakhic standpoint. Halakhah does not permit an individual to risk his life unnecessarily, but given that there are dangers in many of the ordinary activities we engage in on a day-to-day basis, what criteria does one use to determine when an activity carries with it sufficient risk to be deemed impermissible? For instance, does a merchant embarking on a voyage by sea to conduct business place himself in a position of sufficient danger that he should be forbidden from travelling in this manner? Shem Aryeh concludes that actions that bring with them some degree of danger are not forbidden if they are performed in accordance with the "customs of the world" (*minhago shel olam*) or are done "by way of necessity" (*derekh hekhreaḥ*) in that they are required for everyday life. Therefore, the merchant is by no means forbidden from travelling by sea, seeing as this action is the normal way merchants do business and it is necessary for his livelihood. Most interesting—and relevant for R. Waldenberg's purposes—is that Shem Aryeh includes war among "normal" activities that carry an

22. *HM* 2, 121. This passage is in fact one long and complex sentence that is difficult to translate. I have broken the sentence up in order to make it readable in English.
23. *Shem Aryeh* is a collection of response written by R. Aryeh Leib ben Elijah Lifshitz (1808–1888), a Ukrainian rabbi and halakhist.

acceptable level of risk. Here, too, according to Shem Aryeh, war is in accordance with the ways of the world and is required by necessity, and it is for this reason that Halakhah allows the waging of war despite the danger it presents to its participants.[24]

At no point does Shem Aryeh mention Neẓiv's views on war. However, R. Waldenberg views the remarks of Shem Aryeh as an explication of the latter's position. Neẓiv tells us that war is justified despite the dangers to human life because "that is the way the world was founded" (*kakh nosad ha-olam*), and, according to R. Waldenberg, Shem Aryeh's statement that war is in accordance with "customs of the world" (*minhago shel olam*) is meant as a reference to Neẓiv's viewpoint. Therefore, Shem Aryeh's reflections on war are an attempt to make sense of Neẓiv's elliptical remarks on that subject.

The key points that emerge from R. Waldenberg's discussion of the justification of war in *Hilkhot Medinah* is that despite the loss of life it causes, war is permitted on the basis of the notion that it is a universal and natural phenomenon, and therefore the halakhic directives that regulate it are different from those that govern day-to-day life. Both Neẓiv and R. Kook are seen by R. Waldenberg as authoritative sources for this approach, with Shem Aryeh cited as added support.

The issue of justifying war is again taken up by R. Waldenberg in a later discussion contained in a responsum in volume 12 of *Ẓiẓ Eli'ezer*, published in 1976.[25] In the very next volume of the same work, published two years later, R. Waldenberg presents a revised version of the responsum that was inspired by deeper reflection on its contents.[26] The positions in the second responsum do not differ in substance from those of the first, but are significantly expanded and supplemented by more supporting material. We will therefore focus our analysis on this second responsum.

The question that prompted the initial responsum is not about the justification of war. It asks whether a soldier is required, or even allowed, to save the life of a fellow soldier who is lying wounded in the field of combat. However, in dealing with this query, R. Waldenberg addresses the broader question of war and its justification.[27]

24. *She'elot u-Teshuvot Shem Aryeh* 2:27 (Vilnius, 1874), 37b-39b. See also *Ẓiẓ Eli'ezer* (henceforth *ẒE*) 15:#37, pp. 95-96, where Shem Aryeh's views are applied by R. Waldenberg to a case of experimental medical treatment.
25. 12:#57, pp. 157-59.
26. 13:#100, pp. 203-7.
27. *ẒE* 12:#57, p. 157; 13:#100, p. 203. Broyde (p. 2) describes these two responsa as

In his attempt to unpack the question, R. Waldenberg informs us that a soldier lying wounded in the field of battle would have, at the very least, the halakhic status of someone who is in a situation of *safek sakkanah*, "possible danger," in that he may die of his wounds or be killed by the enemy; depending on the circumstances, he may even be in a situation of *vaddai sakkanah*, "certain danger," for the very same reasons. Moreover, according to R. Waldenberg, the presumption is that a person who attempts to rescue such an individual would have to place *himself* in a situation of *safek sakkanah* in order to do so. Therefore, the essential question in halakhic terms is whether a soldier in the heat of a battle may enter a situation of *safek sakkanah* to rescue his wounded comrade, who is himself either in a situation of *safek sakkanah* or *vaddai sakkanah*.[28]

R. Waldenberg begins his response with the observation that in non-war situations, one is not required to endanger oneself to save the life of another individual. As support for his position, R. Walenberg cites Radbaz, who remarks that one who attempts such a rescue is a "pious fool" (*ḥasid shoteh*), a statement suggesting that such an action is not absolutely prohibited, but is strongly discouraged.[29] R. Waldenberg also rules that if the individual requiring rescue is only in a situation of *safek sakkanah*, one is not even *permitted* to endanger oneself to save him, presumably because the wounded soldier may, in fact, survive without any help and risking one's life to rescue someone in this situation would therefore place one needlessly in the line of fire.[30]

However, R. Waldenberg goes on to argue that war is different from other situations; therefore, in war these rules do not apply. Proof for this conclusion begins with an analysis of the more general question of why a king is permitted to wage war at all, given that he is endangering the lives of his soldiers by taking them into combat to begin with. That is, R. Waldenberg must deal with issue of the justification of war before answering the specific question at hand.

According to R. Waldenberg, the permissibility of war is implied in Tosafot's interpretation of a passage in *Shevu'ot* 35b, a source we

dealing with the case of soldiers being held captive by the enemy, and the question is whether other soldiers are obligated to risk their lives in order to rescue them. That is not the scenario being discussed here, although there are certainly some similarities between the case of captive soldiers and that of soldiers wounded in the field of combat, the scenario that R. Waldenberg, in fact, discusses.

28. *ẒE* 13:#100, p. 203.

29. *Teshuvot Radbaz* 3:#1052.

30. *ẒE* 13:#100, pp. 203-4.

encountered earlier according to which a king may sacrifice the lives of up to a sixth of his army when waging a discretionary war.[31] R. Waldenberg proceeds to explain why Halakhah allows for such mayhem. One explanation is that of Neẓiv, which we have already examined. War is a natural phenomenon, and therefore we must accept it and its consequences, including the risk to soldiers whom the king sends into combat. R. Waldenberg also cites R. Kook, as he did in the earlier discussion in *Hilkhot Medinah*, and he includes the passage in which R. Kook makes the claim that the laws of war are governed by special communal laws that are the prerogative of the king. Yet here, R. Waldenberg presents R. Kook's views as an *alternative* to those of Neẓiv:

> What emerges from the words of these eminent sages is that we have before us two definitions and explanations for the unique laws of war, and they are: 1) because in this way and on this foundation the world has been established; 2) because the laws of the collective and the guidance of the nation are different [from those governing individuals]—— that is to say, that this [category of laws] is for the improvement and security of the people and the nation.[32]

In this passage, R. Waldenberg sees Neẓiv and R. Kook as defending two different positions. R. Waldenberg's views of Neẓiv are unchanged from his earlier presentation. As before, Neẓiv is depicted as upholding the view that war is permitted because it is a universal and natural phenomenon. However, R. Waldenberg's description of R. Kook's view is now quite different. R. Kook is no longer presented as supporting the position that war is permitted because it is universal and natural, but only because of special halakhic norms that are communal in focus and apply, it would seem, to Jews alone. These special laws allow the Jewish people to wage war in order to safeguard its welfare. Thus, the permission to wage war is not due to the acquiescence to nature, but to a deliberate divine imperative permitting the Jews to protect their interests.

Most tellingly, nowhere in this discussion do we see any mention of the passage in R. Kook cited by R. Waldenberg in the earlier treatment in *Hilkhot Medinah* in which R. Kook alludes to the notion that war is "in accordance with the nature of the world." R. Kook's position here is thus presented as offering a justification of war that we may call "particularistic-halakhic" in orientation, as opposed to that of Neẓiv, whose justification for war is "univeralistic-naturalistic."

31. See above, n. 10.
32. *ẒE* 13:#100, p. 204.

R. Waldenberg also cites two authorities, each of whom, he claims, supports one of these theories. The first is Ḥatam Sofer (1762-1839), who in a responsum speaks of wars waged by a Jewish king as being justified because they are for "the good and welfare of the Jewish nation," a position that echoes that of R. Kook.[33] The second is Shem Aryeh, whom we encountered earlier, who supports the viewpoint of Neẓiv. Thus, the dichotomy between Neẓiv and R. Kook is not confined to these two thinkers. They represent different approaches to war found among other halakhic authorities.

At this point, R. Waldenberg is ready to respond to the original question about whether a soldier is required to risk his life in order to rescue a fellow soldier who is wounded in combat:

> Given that we have learned from what has been stated that war is different [from everyday situations], it is reasonable to say that just as one must not learn from an [activity being] permitted in war that it would be permitted in another situation [i.e., in everyday life], so too one must not learn from an [activity being] forbidden in another situation [i.e., in everyday life] that it would be forbidden in war. That is to say, that just as the principle of "and you shall live by them" (Lev. 18:5) does not apply in war, it is also reasonable to say that the principle of "and your kinsman shall live with you," [Lev. 25:36]—which they [i.e., the rabbis] interpret, to mean "your life takes priority over his"[34]—does not apply in war. Rather, all men [fighting] in war are together obligated to give their lives, each and every one, for the rescue of their fellow [soldiers]. This point is also one of the principles of laws governing the collective and is in the category of [actions meant for] leading the nation and advancing its welfare.[35]

R. Waldenberg concludes that a soldier is required to make every effort to rescue a comrade wounded in combat despite the dangers involved. Normally, one has no obligation to risk one's life to save another person who is in danger. That principle is based on a famous talmudic passage that discusses a situation in which two people are in the desert, and one has with him a jug that contains enough water only for one person to survive the journey. Should they share the water and both die? Or should the person with the jug drink the water himself for his own survival and allow the second one to die? The decisive ruling is that of R. Akiva, who supports the latter option. R. Akiva's view is based on a biblical verse requiring that one must allow his kinsman to live "with"

33. *Shut Ḥatam Sofer* 5:#44, p. 20a-21a.
34. *Bava Meẓi'a* 62a.
35. *ẒE* 13:#100, p. 205.

him, implying that that one's life takes priority over that of his kinsman if a choice must be made. However, according to R. Waldenberg, this principle does not apply in war. R. Waldenberg refers to the view of R. Kook that the laws governing the nation differ from those governing individuals in day-to-day life because the former are concerned with the well-being of the entire collective. R. Waldenberg therefore concludes that just as a soldier is required to risk his life for the nation when going to war, he is similarly required to risk his life to save a companion who is wounded in the course of battle.

R. Waldenberg supports his position by looking at other halakhic rulings by rabbinic authorities in situations that involve danger to life. Normally, in such situations we are required to issue rulings that preserve life. Thus, for instance, according to the halakhic principle of *safek nefashot le-hakel*, we must be lenient in judging ambiguous situations involving the death penalty.[36] If a defendant has been implicated in a crime that is punished by the death penalty, but it is uncertain whether that person is in fact guilty, we err on the side of leniency and we do not put that person to death. However, R. Waldenberg goes on to argue that in some situations, the imperative to preserve life in halakhic decision-making is not heeded. For example, if a person is in a situation in which the mandate for martyrdom is for some reason unclear, that person is nonetheless required to give up his life for the sanctification of the divine name (*kiddush ha-Shem*). In this instance, therefore, a halakhic ruling that could result in the loss of life errs on the side of stringency rather than leniency. This ruling can be explained by the fact that the Torah does not insist on safeguarding the life of a Jew when martyrdom is required as it does in other situations, and therefore even in a situation in which the mandate for martyrdom is unclear, one must take the stricter approach.

Another case which illustrates the same point involves the prohibition against adultery, which is one of three commandments that one must fulfill even if it means giving up one's life (*yehareg ve-al ya'avor*). If a man is confronted with a situation in which he is forced to have sexual relations with a woman or be killed, and it is unclear whether the woman is married or not, the man must still accept death rather than risk transgressing the prohibition against adultery. Here too a halakhic ruling involving the potential loss of life comes down on the side of stringency, and that is because in cases involving the violation of a

36. *Bava Batra* 50b.

cardinal prohibition, such as adultery, the Torah again does not insist on preserving Jewish life as it does in other instances, and, thus, even in situations of ambiguity, a person must sacrifice his life.[37]

Most significantly, the same logic, in R. Waldenberg's thinking, applies to a case in which a soldier lies wounded in the field of combat. His fellow soldiers are required to rescue him despite the possible dangers involved, even though in non-war situations that would not be the case, because in war, all soldiers must risk their lives to begin with, and therefore here again we err on the side of the more stringent ruling that may result in loss of life.[38]

Yet, let us not lose sight of our focus, which is the justification of war. As we have seen, a good portion of R. Waldenberg's responsum is devoted to this issue because he must first explain why a Jewish king is permitted to wage war in the first place, despite the danger to his soldiers, before dealing with the question of whether a soldier must risk his life to save a wounded comrade. R. Waldenberg provides two justifications for a king to wage war: one relies on the particularistic-halakhic approach to war of R. Kook and the second relies on the universalistic-naturalistic approach of the Neẓiv. Moreover, in seeing a dichotomy here between the views of his two predecessors, he has taken a position different from the one he took in *Hilkhot Medinah*, where he saw harmony between them.

What prompted R. Waldenberg to change his mind on the relationship between Neẓiv and R. Kook? The simplest explanation is that in his later discussion, R. Waldenberg came to the conclusion that his earlier attempt to harmonize the two had been mistaken. He may have come to the realization that in R. Kook's thinking, war is permitted solely because it is governed by special communal laws to be implemented by the king for the welfare of the Jewish people. The one phrase in R. Kook suggestive of the notion that war is permitted because it is a natural phenomenon was perhaps not sufficient to attribute to R. Kook the naturalistic position of Neẓiv. Therefore, in this new reading, R. Kook does not support the naturalistic approach of Neẓiv; what we have here are, in fact, two separate approaches.

However, I suspect there is a deeper issue here. As mentioned in my introductory remarks, one of the limitations of *Hilkhot Medinah* is its

37. The sources of these rulings are the *Terumat ha-Deshen* 30b of R. Israel Isserlein ben Petaḥiah (1390-1460) and the commentary of *Shakh*, R. Shabbetai ben Me'ir ha-Kohen (1621-62), on *Shulḥan Arukh* 157:101.
38. *ẒE* 13:100, p. 205.

utopian character. It deals with war in highly idealized form, as depicted in ancient times. However, in his responsum in *Ẓiẓ Eli'ezer*, R. Waldenberg had to deal with war as an actual reality. Confronted with practical questions, such as whether a soldier may rescue a wounded comrade, he had no choice but to approach war in this manner. The different contexts may help explain the different approaches to war. As long as R. Waldenberg was dealing with war as an idealized phenomenon, the notion that war was justified because it was a natural phenomenon did not trouble him, and Neẓiv and R. Kook could therefore be depicted as supporting this approach. But when dealing with the war as a living reality, it may have been more difficult for R. Waldenberg to justify war in this manner. Such a position perhaps suggested too much acquiescence to an ugly aspect of human civilization, too much of a capitulation to the evils that human beings perpetrate against each other. R. Waldenberg therefore presented a more ambiguous position, in which R. Kook's halakhic-particularistic perspective was adduced as an alternative to the universalistic-naturalistic approach of Neẓiv.

R. Kook's position also had the advantage of presenting war in a more positive light, as an institution designed to serve the needs of the Jewish people and to its bolster its welfare. This view may have been especially appealing to R. Waldenberg in the context of a responsum dealing with Israeli soldiers fighting and being wounded for the sake of the Jewish state. In such a context, depicting war as serving the needs of the Jewish nation was perhaps a far better justification for the sacrifices that Israeli soldiers were making than describing war as a phenomenon that we accept just because that is the way the world is.

This analysis is admittedly speculative. However, I think it is safe to say that at the very least, R. Waldenberg was struggling here with whether war was natural, and his treatment of this issue therefore has significance beyond the confines of Halakhah. In fact, this problem has significance beyond the sphere of Judaism altogether. Social scientists have been grappling with the question of whether war is natural for the past few decades, and the literature on this subject is quite extensive. In recent times, the battle has perhaps tilted in favor of those who argue that war is indeed natural. Most prominent among the recent supporters of this view are Steven Pinker and Edmund O. Wilson, well-known scholars who have produced widely-read volumes on this subject.[39]

39. Steven Pinker, *The Better Angels of Our Nature: Why Violence Has Declined* (New York, 2011); Edmund O. Wilson, *The Social Conquest of Earth* (New York, 2012).

Their views, however, have not gone unchallenged. David P. Barash, for instance, has argued against Pinker and Wilson in a number of articles that have appeared both in print and online.[40] A recent study by Douglas Fry and Patrik Söderberg in a prominent academic journal has also taken issue with Pinker and Wilson.[41]

R. Waldenberg's reflections on whether war is natural therefore resonate with an important debate that has been taking place for some time in the academic world. Of course, I am not in any way implying that R. Waldenberg was aware of such debates. It is also important to note that there are substantial differences between R. Waldenberg's treatment of the relationship between war and nature and the treatment given to it by social scientists. The debate among social scientists about whether war is natural takes place within the framework of evolutionary biology, a secular framework that is entirely inimical to R. Waldenberg's perspective. For R. Waldenberg, the debate is between positions that both assume a thoroughly theistic worldview. Thus, Neẓiv's view that war is natural still presumes that a personal God is ultimately the creator of the world and everything in it, including human beings and their tendencies to violence. God's role is even more direct in R. Kook's view, in which war is a seen as permissible because of divine directives issued to the Jewish nation allowing it to safeguard its well-being through violence.

Nonetheless, I do not believe that the views of R. Waldenberg on war and those of the social scientists are completely unconnected. The question of whether war is natural is one that would interest any reflective human being living in the past century. In the twentieth century, wars claimed the lives of 100 million people, most of them civilians, making it perhaps the bloodiest century in history. War has therefore had an enormous impact on our world during this time span. For Jews who have lived through the greater portion of the twentieth century, such as R. Waldenberg, war has been an especially significant issue, given the effect that wars have had on the lives of Jews during this period. The Holocaust that took place within the context of the Second World War, along with

40. See, for instance, David P. Barash, "Are We Hard-Wired for War?" which appeared in the *New York Times* on September 28, 2013, accessed online on March 4, 2014, at http://www.nytimes.com/2013/09/29/opinion/sunday/are-we-hard-wired-for-war.html.

41. Douglas Fry and Steven Södeberg, "Lethal Aggression in Mobile Forager Bands and Implications for the Origins of War," *Science* 19 (July 2013): 270-73. See also Fry's earlier treatment of this issue in *Beyond War: The Human Potential for Peace* (New York, 2007).

the many wars that the State of Israel has had to fight, have made war a problem that Jews have to think about more than ever before. I therefore think that it is plausible to argue that despite the immense differences between the world view of R. Waldenberg and that of the social scientists, R. Waldenberg may have been drawn to the question of whether war was natural for the same reason that the social scientists have been drawn to it—it relates to one of most pressing issues of our time.

Ultimately, R. Waldenberg's treatment of this question may strike us as unsatisfying. He leaves us hanging between the notion that war is a natural phenomenon that we must simply accept for the scourge that it is and the notion that war is a halakhic institution permitted by God for the purpose of helping the Jewish nation protects its interests and safeguard its welfare. But we may also look at the ambiguity that R. Waldenberg leaves us with as an understandable position to take regarding a feature of human civilization that resists any easy moral explanation and the meaning of which has elicited such heated debate in recent times.

MICHAEL J. HARRIS

"But Now My Eye Has Seen You": Yissurin Shel Ahavah *as Divine Intimacy Theodicy*

1. Introduction

How do approaches in Jewish thought and tradition to the problem of evil or suffering compare with the various positions adopted in contemporary philosophy of religion?[1] To respond comprehensively to this question, one would have to consider the whole chronological range of relevant Jewish sources, from the biblical and

1. Eleonore Stump (*Wandering in Darkness: Narrative and the Problem of Suffering* [Oxford, 2010], 4) argues that "the problem of suffering" is preferable to "the problem of evil" since it is suffering which constitutes the nub of the theological problem. For example, if there were no sentient beings who suffered from natural disasters, there would be no problem. However, I am grateful to David Shatz and an anonymous referee for this journal for pointing out in response to Stump that suffering can pose a theological problem only on the assumption that it is evil, or bad. Thus "the problem of evil" may be preferable after all. Although there are kinds of evil that involve no suffering to the person who undergoes them (putting aside the suffering caused to the person's family and friends), such as sudden death or dementia, which nevertheless raise the theological problem, suffering is a central sort of evil, and therefore "the problem of suffering" is an acceptable way of referring to the theological problem. I will refer in this article to "the problem of suffering," though this usage is not intended to suggest that "the problem of evil" would not be equally acceptable.

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rabbinic through medieval and modern thinkers. Even restricting the discussion to classical rabbinic thought would involve the consideration of many pertinent texts, particularly from the Talmud Bavli, which, as Yaakov Elman and David Kraemer have argued, is much more open than the Talmud Yerushalmi to the idea that suffering is not necessarily divine punishment for sin and contains "the most original and radical responses in rabbinic Judaism to the problem of suffering."[2] For example, one could relate passages in *Ta'anit* 11a, *Kiddushin* 39b and 40b and *Yoma* 86b-87a, which appeal to life in the world to come after death to solve the problem of suffering in this world, to, for instance, the argument presented by Marilyn Adams that a post-mortem beatific vision of God can retrospectively comfort even one who has suffered horrendously and can give meaning to his or her suffering.[3] Or one might consider passages in *Berakhot* 7a and *Menaḥot* 29b, among others, in light of some contemporary discussions of what is known as sceptical theism.[4]

In this article, I want to focus on just one well-known rabbinic concept discussed in the Talmud Bavli and bring it into conversation with some contemporary discussions of the problem of suffering in the philosophy of religion. This rabbinic concept is the well-known one of *yissurin shel ahavah*, "the sufferings (or "afflictions") of love"[5] (henceforth YSA) as it appears in its *locus classicus*, namely the extensive discussion in the Bavli at *Berakhot* 5a-b.[6] The exploration of the theme

2. David Kraemer, *Responses to Suffering in Classical Rabbinic Literature* (New York, 1995), 16; see also 113. For Elman's view, see e.g., his "The Suffering of the Righteous in Palestinian and Babylonian Sources," *The Jewish Quarterly Review* 80 (1990): 315-39; "Righteousness As Its Own Reward: An Inquiry Into the Theologies of the Stam," *Proceedings of the American Academy for Jewish Research* 57 (1990-1991): 35-67.

3. See, e.g., Marilyn McCord Adams, "Horrendous Evils and the Goodness of God," in *The Problem of Evil*, ed. Marilyn McCord Adams and Robert Merrihew Adams (Oxford, 1990), 209-21.

4. I hope to do this in a future article.

5. The Soncino Talmud's translation of *Berakhot* 5a-b, while translating *yissurin* as "sufferings," translates *yissurin shel ahavah* as "chastenings of love" or "chastisements of love." As David Shatz pointed out to me, however, R. Ammi's statement in *Shabbat* 55a *ve-ein yissurin be-lo avon,* "there are no *yissurin* without iniquity," seems to assume that the term *yissurin* does not by itself (despite some well-known biblical usages of the root *y-s-r*) have a punitive or corrective connotation, for otherwise it would not need stating that there are no *yissurin* in the absence of sin. The standard translations of *yissurin* as "suffering" and *yissurin shel ahavah* as "sufferings (or "afflictions") of love" thus appear justified and I will use these translations in this paper.

6. Elman, "The Suffering of the Righteous," 337, n. 58, points out that YSA is the sole exception to the view of suffering as punishment for sin in Palestinian sources. YSA appears explicitly in *Gen. Rabbah* 92:1.

of suffering in *Berakhot* 5a-5b is the longest treatment of that topic in the entire Bavli and indeed "the longest deliberation (by far) on suffering as such in all classical rabbinic literature."[7] I will examine some of the ways in which the concept of YSA has been or could plausibly be interpreted, and explore how these readings of YSA relate to some of the theodicies analysed in contemporary philosophy of religion. This exploration will hopefully enable YSA and these theodicies to shed light on each other. Eleonore Stump has noted the importance of bringing contemporary philosophical reflection on the problem of suffering into contact with the rich tradition of Jewish thought on it. She has done this in the context of Sa'adyah Gaon's interpretation of the Book of Job and his theodicy, as well as by focusing on some key narratives in Tanakh.[8] YSA, justifiably termed by David Shatz "the most interesting concept in Jewish discussions of suffering,"[9] is certainly worth considering in light of relevant contemporary philosophical theodicies.

I do not aim in this article to present anything like a full argument in favor of any particular theodicy that I connect with YSA, nor to deal comprehensively with objections that can be raised against any theodicy, though I do consider some objections to the particular theodicy which is most central to this paper, namely "divine intimacy theodicy." Moreover, while I cite and discuss a significant range of post-talmudic rabbinic teachings regarding YSA, including key medieval sources, I do not claim that the roster considered here is anything approaching comprehensive. I aim to consider enough of the most important sources to make the inquiry worthwhile.

In the second section of this paper, I briefly survey the debate among important rabbinic thinkers and commentators concerning whether or not YSA should be interpreted as a punitive doctrine. According to those who understand YSA as constituting punishment for sin despite the element of love which distinguishes YSA from *yissurin simpliciter*, YSA can be easily located on the historical map of theodicies in Western thought: for them, it is a punishment theodicy, one of the most influential kinds of theodicy (though not a popular one in contemporary philosophical discussion). If YSA is not read as a punishment theodicy,

7. Kraemer, 188.

8. Eleonore Stump, "Saadia Gaon on the Problem of Evil," *Faith and Philosophy* 14 (1997): 523-49; *Wandering in Darkness*, chs. 9-11.

9. David Shatz, "On Constructing a Jewish Theodicy," in *The Blackwell Companion to the Problem of Evil*, ed. Justin P. McBrayer and Daniel Howard-Snyder (Chichester, 2013), 314.

following the other view in the debate, then it becomes a more interesting concept and the question arises as to whether it parallels some other theodicy or theodicies in the philosophical debate. In Section 3 of the paper, I consider several ways in which YSA might be construed as what is often termed a "soul-making theodicy" and how this plays out in the reflections on YSA of some major rabbinic thinkers. In section 4, I distinguish between "soul-making" and what has been called in contemporary philosophy of religion "divine intimacy" theodicy, and in the fifth section, I argue that YSA is most compellingly construed as a "divine intimacy" theodicy. I suggest various ways in which this might be so and consider significant rabbinic writers on YSA who seem to have understood YSA in this kind of way.

2. YSA: Punitive or Non–Punitive?

In order to begin our analysis of the concept of YSA as it appears in *Berakhot* 5a-b, let us quote the opening of the relevant *sugya* at *Berakhot* 5a:

> Rava (some say, R. Hisda) says: If a man sees that painful sufferings visit him, let him examine his conduct. For it is said: "Let us search and try our ways, and return unto the Lord" [Lam. 3:40]. If he examines and finds nothing [objectionable], let him attribute it to the neglect of the study of the Torah. For it is said: "Happy is the man whom You chasten , O Lord, and teach out of Your law"[Ps. 94:12]. If he did attribute it [thus], and still did not find [on further examination a defect in this respect], let him be sure that these are sufferings of love [*yissurin shel ahavah*]. For it is said: "For whom the Lord loves He corrects" [Prov. 3:12].[10]

A person visited by sufferings is advised in the first instance to assume that his or her sufferings constitute punishment for sin. If one can identify no sin, including neglect of Torah study, then the suffering certainly constitutes YSA. Although the implication of this is not necessarily that YSA is non-punitive suffering, most—as detailed in this section —have understood YSA in this way.[11] This, indeed, is how Rashi in his commen-

10. All translations from *Berakhot* in this article are by Maurice Simon in the Soncino edition of the Talmud, in most cases with some emendations. In this extract I have, *inter alia*, amended the spelling of the opening word to "Rava" from "Raba" to make clear the identity of the sage being referred to. All other translations in this paper are mine unless otherwise stated.

11. It should be noted that though YSA can easily be interpreted as non-punitive at this stage of the *gemara*'s discussion, this conception of YSA does not remain stable throughout the *sugya*. At least at one later point at 5b, the suggestion of the *gemara*

tary to this passage explicates YSA: "The Holy One, blessed be He, brings suffering on him in this world without [his having committed] any sin or iniquity, in order to increase his reward in the world to come beyond [what] his merits [deserve]."[12]

Other major rabbinic thinkers similarly construe YSA as a non-punitive notion. In the introduction to his commentary to the Book of Job, Saʿadyah Gaon presents a non-punitive interpretation of YSA without mentioning YSA explicitly, but instead using the terminology of "trial and testing."[13] He distinguishes this "trial and testing" from suffering inflicted by God as a means of "purgation and punishment"[14] and describes it much as Rashi elucidates YSA: "An upright servant, whose God knows that he will bear sufferings loosed upon him and hold steadfast in his uprightness, is subjected to certain sufferings, so that when he steadfastly bears them, his Lord may reward him and bless him."[15] This kind of suffering, according to R. Saʿadyah, is what God inflicts on Job. A little later, R. Saʿadyah states that a trial or test is suffering in instances where "we have searched ourselves and found nothing requiring . . . punishments."[16] Again, R. Saʿadyah does not explicitly mention YSA here, but the reference to examining oneself and finding nothing deserving of punishment seems to be a clear reference to the opening of the *Berakhot* 5a discussion of YSA cited above.[17]

In his commentary to the Torah, R. Baḥye ben Asher also explicitly interprets YSA non-punitively and states that its purpose is to increase

seems to be that YSA is punitive. Moreover, at several further points in the *sugya* it is not fully clear whether the *yissurin* being referred to are YSA or not, which leads to differences of opinion between commentators.

12. s.v. *yissurin shel ahavah*. However, at certain points later in his commentary on the *sugya*, Rashi seems to suggest a punitive reading of YSA.

13. *The Book of Theodicy: Translation and Commentary on the Book of Job*, trans. by Lenn Evan Goodman (New Haven, 1988), 125. Goodman understands R. Saʿadyah as having YSA in mind, and I follow this suggestion because of R. Saʿadyah's allusion to *Berakhot* 5a, as explained below. In general, though, the identification of "trial and testing" or *nissayon* with YSA is by no means uncontroversial. Maimonides and Naḥmanides explicitly reject it; see n. 29 below.

14. Ibid.

15. Ibid., 125-26.

16. Ibid., 130.

17. Stump, "Saadia Gaon on the Problem of Evil," argues that R. Saʿadyah's conception of this kind of suffering is more complex and involves the idea of the purging of the soul in order to avoid attenuation of heavenly reward. This is still a non-punitive conception, however. Stump's Saʿadyah has affinities with the positions of several thinkers on YSA discussed below.

later reward.[18] Maharal, in the main discussion of YSA in his writings, also maintains that YSA is non–punitive and is visited on a person who is "righteous and fit for the supreme [spiritual] level."[19] A mystical non-punitive understanding of YSA is presented by R. Isaiah Horowitz, the Shelah, based on the kabbalist R. Avraham Galanti's *Kol Bokhim.*[20] R. Yeḥezkel Landau in his Talmud commentary *Ẓiyyun le-Nefesh Ḥayah* (*Ẓelaḥ*) offers what sounds like an unpacking of Rashi: because it is relatively easy to serve God in strength and health, God sometimes brings illness or weakness on the righteous so that they overcome significant obstacles in serving Him and attain greater divine reward because of the Mishnaic principle that "according to the effort [or pain] is the reward."[21] R. Yosef Albo presents three understandings of YSA which will be discussed in the course of this paper; the last two are clearly non-punitive, and I will argue later that the first is as well. We will also encounter further non-punitive interpretations of YSA.

However, other key figures take contrasting and sometimes conflicting positions. Maimonides in *Guide of the Perplexed* 3:17 understands YSA in a similar way to Rashi, but in 3:24 criticizes this idea of suffering not preceded by sin for the sake of greater reward as incompatible with God's justice. Thus, while Maimonides agrees with the non-punitive interpretation of YSA, he holds that this renders the whole notion deeply problematic. Me'iri takes this line of thought a step further and interprets YSA as punitive: the more righteous a person is, the more exacting God is regarding his or her misdemeanours.[22] Naḥmanides in *Shaʿar ha-Gemul* interprets YSA punitively, emphasizing that "even these afflictions are for the purpose of atonement and

18. Commentary to the Torah, Ex. 5:22.

19. *Netivot Olam*, *Netiv ha-Yissurin,* ch. 1 (ed. Haim Pardes [Tel Aviv, 1988], vol. 2, p. 427). Sometimes in this chapter and the following one, Maharal mentions YSA in the context of sin, but this seems to be sin in an extended sense, meaning attachment to the material world. For further discussion of Maharal's view of YSA, see below.

20. R. Isaiah Horowitz, *Asarah Ma'amarot, Ma'amar Shelishi u-Reviʿi,* section 134; *Ma'amar Ḥamishi*, section 180.

21. *Ẓelaḥ ha-Shalem* (Jerusalem, 5755) on *Berakhot* 5a; Mishnah *Avot* 5:23.

22. *Beit ha-Beḥirah* to *Avot* 4:15. See also *Penei Yehoshua* (*Penei Yehoshua ha-Shalem* [Jerusalem, 1973]) on *Berakhot* 5a, s.v. *kal va-ḥomer mi-shen va-ayin.* Me'iri, in *Ḥibbur ha-Teshuvah* (New York, 1950), *Ma'amar* 1, ch. 4, 586-87, presents YSA as punitive as in *Beit ha-Beḥirah*, but adds the idea that sometimes a righteous person is afflicted with YSA to a greater extent than is strictly justified by his or her small transgression, in order to prompt that person to examine his ways and repent. This thought seems to construe YSA as partly a punishment theodicy and partly a soul-making theodicy. On soul-making theodicies, see Section 3.

purging [relatively minor] sin."[23] Abarbanel, too, insists that all suffering is punitive.[24]

R. Yaʿakov Yehoshua Falk, in his well-known work *Penei Yehoshua*, presents two main interpretations of YSA.[25] The first is non-punitive and will be discussed in Section 3 below. The second interprets YSA as vicarious atonement: God brings suffering on the righteous person who has not sinned in order to atone for the sins of the spiritually middle-ranking and the wicked. The righteous person is later compensated in the world to come by having proportionate additional reward added to his or her own reward from the spiritual "accounts," as it were, of the wicked and the middle-ranking. This interpretation of YSA seems to understand it at least in part as a punishment theodicy: part of what justifies the suffering of the innocent righteous person is that his suffering is atoning punishment for the sins of others (added to the fact that he receives later compensation). *Penei Yehoshua* stresses that punishment is required (presumably because of the demands of justice); it is just that God inflicts the punishment on the righteous individual rather than the non-righteous, because the non-righteous would rebel were punishment inflicted upon them.[26]

If YSA is interpreted punitively, as we have seen it is by a number of key thinkers, then it is a punishment theodicy: the suffering of the individual is justifiably allowed or inflicted by God as punishment for sin. If, however, we take our cue from the many important Jewish thinkers who view YSA in non-punitive terms, the obvious question that then arises is:

23. *Kitvei Rabbeinu Moshe ben Naḥman*, ed. Rabbi C. D. Chavel (Jerusalem, 1964), 270. See also ibid., 271. In a different way from Me'iri in *Ḥibbur ha-Teshuvah* (see previous note), Naḥmanides also seems to combine an element of soul-making theodicy with his punitive reading of YSA. Since every sin in some way contaminates the soul, Naḥmanides writes, even the righteous soul requires the cleansing which is accomplished by YSA in order to attain the spiritual level in the world to come appropriate to the good deeds it has performed.

24. Commentary to the Torah, Gen. 15:1, fifteenth question.

25. *Penei Yehoshua* on *Berakhot* 5a, s.v. *talah ve-lo maẓa.*

26. One might object that *Penei Yehoshua*'s interpretation of YSA here is not a punishment theodicy at all. The term he uses throughout is *yissurin*, which could mean either "suffering" or "punishment," as opposed to, say, the unambiguous term *onesh*, and one might interpret him as meaning that suffering is metaphysically necessary in order to purge sin, but that this suffering is not punitive (cf. the discussion of R. Yosef Albo's first type of YSA in Section 3B below). But the question would then arise how the suffering of the innocent righteous person works to purge the sins of others. Moreover, *Penei Yehoshua*'s language in the relevant passage as a whole does not seem to suggest this non-punitive explanation.

How might non-punitive understandings be developed, and what forms might they take? For our purposes in this paper, we must also ask: How might YSA, on different understandings, relate to theodicies discussed in the philosophy of religion?

3. YSA as a Soul-Making Theodicy

A traditional group of theodicies in the philosophy of religion that continues to attract significant attention centers on the notion of "soul-making." Broadly, a soul-making theodicy argues that the justification of God's inflicting suffering is that this facilitates the building and development of moral and spiritual character.[27] Although there do not seem to be any other obvious sources in the Babylonian Talmud for a soul-making theodicy, YSA could plausibly be interpreted in this kind of way.[28]

In this section, I consider two ways in which YSA might be interpreted as a kind of soul-making theodicy.

A. Actualizing Potential

One way in which YSA might be read as a version of soul-making theodicy is that the potential of the sufferer to withstand suffering and maintain his or her moral excellence is realized, made actual, and this elevates the sufferer to even greater spiritual heights than he had attained previously. This understanding of YSA can be connected to the concept of *nissayon*, a divine test or trial, the archetype of which, of course, is Abraham's trial at the *Akedah*, explicitly described by the Torah as a test in Gen. 22:1. If the test is successfully passed by the sufferer, he or she will grow spiritually.

27. See, e.g., the classic contemporary articulation of soul-making theodicy, John Hick's *Evil and the God of Love* (2nd ed., Basingstoke and New York, 2010); Daniel Speak, "Free Will and Soul-Making Theodicies," *The Blackwell Companion to the Problem of Evil,* ch. 14. Hick places far more emphasis on moral than on spiritual development.

28. David Shatz has already made the suggestion that some interpretations of YSA can be seen as potential precedents for soul-making theodicies. See David Shatz, "Does Jewish Law Express Jewish Philosophy? The Curious Case of Theodicies," in Shatz, *Jewish Thought in Dialogue: Essays on Thinkers, Theologies and Moral Theories* (Boston, 2009), 293 and 301, n. 10. See also his "On Constructing a Jewish Theodicy" in *The Blackwell Companion to The Problem of Evil*, 309-25. In this section, I expand on Shatz's suggestion by categorising different ways in which YSA can be read as a soul-making theodicy and offering an analysis of some of the relevant sources. As I will argue in Section 5, however, I believe that YSA is better read in the light of divine intimacy theodicy than soul-making theodicy.

R. Yosef Albo provides a detailed analysis of YSA in *Sefer ha-Ikkarim*, offering three possible understandings of the concept, each of which he considers legitimate, and to each of which he applies the term *nissayon*.[29] R. Albo's third type of YSA, which he identifies as the most important category, are visited only on the completely righteous who have already undergone the first two types of YSA (we will return to discussion of the first two kinds later). The purpose of this third type of YSA is to increase the reward of the sufferer so that he or she receives "the reward of the good deed and not just reward for a good intention" because the sufferer has actually *gone through* trouble and difficulty in showing love of God through a particular deed, rather than simply being *willing* to undergo difficulty. The example given by R. Albo is the *Akedah*. Despite the focus on reward, there is undoubtedly also a strong soul-making element in R. Albo's third category of YSA. R. Albo writes that the righteous sufferer will be worthy of his greater reward "because through the deed his heart will be strengthened in the love of God, since every action establishes a stronger disposition in the soul than can be achieved without action." Doing the deed required by God, which is the third kind of YSA, improves the soul. This is emphasised again later in his discussion: "A person does not reach the level of complete love [of God] until he actually suffers difficulty and toil for the love of God."

B. Purging the Soul

We can identify a second way of understanding YSA as a type of soul-making theodicy by referring once again to *Penei Yehoshua* on *Berakhot* 5a.[30] In Section 2 above, we noted Rashi's explication of YSA. *Penei Yehoshua* raises a straightforward but powerful difficulty for Rashi's analysis: Why can't God, Who is omnipotent, just give all the benefits of the world to come to the righteous person without that person first having to endure suffering? [31] *Penei Yehoshua* responds that

29. *Ma'amar* 4, ch. 13. Maimonides in *Guide* 3:17 explicitly rejects the idea that the trials mentioned in the Torah, such as that of Abraham at the *Akedah*, come under the rubric of YSA. YSA, for Maimonides, is a rabbinic concept which does not feature in the Torah itself. Naḥmanides in *Shaʿar ha-Gemul* (*Kitvei Rabbeinu Moshe ben Naḥman*, 272-73) does not consider a *nissayon* to be YSA or any kind of punitive suffering.

30. S.v. *talah ve-lo maẓa*. *Penei Yehoshua*'s interpretation of YSA, which I present in this section, is the first of the main two interpretations which he offers, and the one which he himself believes is more suited to the language of the *gemara* in *Berakhot* 5a. We mentioned earlier his second interpretation, focusing on vicarious atonement.

31. Saʿadyah Gaon, *The Book of Beliefs and Opinions*, trans. Samuel Rosenblatt (New

subsequent to the damage done by the serpent of the Garden of Eden to all future souls, even the souls of the completely righteous, it would be impossible without suffering to purge the soul of the righteous person from the material and physical and allow that soul to achieve its full spiritual reward in the world to come.[32] Even without Adam's sin caused by the serpent, *Penei Yehoshua* continues, the human soul would have been too attached to the material to be able, without the purging effected by suffering, ultimately to receive the supernal light of the higher worlds. As noted earlier, Naḥmanides' understanding of YSA includes this kind of soul-making element, but for Naḥmanides, the damage to the soul has been caused by the sufferer's own sin, not by the Edenic serpent. Additionally, *Penei Yehoshua*'s interpretation of YSA is non-punitive, as opposed to Naḥmanides' punitive conception.

R. Yosef Albo's treatment of YSA is again relevant in this context. As noted above, R. Albo in *Sefer ha-Ikkarim* presents a detailed analysis of YSA and divides YSA into three categories. It is the first category which is germane here. At the beginning of his discussion, R. Albo defines the first type of YSA as suffering inflicted by God on a very righteous person out of love in order to "purge some impurity or uncleanliness in his soul caused by sin." Some of the language used by R. Albo in the continuation of his discussion of his first category of YSA is Naḥmanides', and he explicitly cites Naḥmanides' view that all suffering, including YSA, is a result of sin. It seems at first glance, therefore, that R. Albo's position regarding his first type of YSA is identical to Naḥmanides' overall position regarding YSA, namely a punitive understanding combined with an element of soul-making theodicy.[33] However, a close reading of the first paragraph of R. Albo's analysis reveals that he does not in fact see the first type of YSA as punitive. He says that even a very righteous person cannot avoid various types of

Haven, 1948), 214-15, raises the same difficulty for the view that an innocent individual might be subjected to trials in order to later receive compensation for them. R. Saʿadyah does not explicitly refer to YSA in that discussion but cites Prov. 3:12, which, as we saw above, is quoted in *Berakhot* 5a as soon as the concept of YSA is introduced. R. Saʿadyah's response to the difficulty is that goods conferred by God on human beings by way of compensation are valued more highly than goods distributed purely by divine grace.

32. Fascinatingly, *Penei Yehoshua*'s view here is close to that of Aquinas, for whom "suffering is medicinal for the cancer of the will innate in all post-Fall human beings. Unless that cancer is cured, human beings cannot be united to God in the afterlife" (Stump, "Saadia Gaon on the Problem of Evil," 532).

33. See above n. 23 on Naḥmanides' position.

minor sin, but that these sins "are not deserving of punishment" (*einan re'uyin le-onesh*). Nevertheless, he continues, in language very close to Naḥmanides', "since they [the minor sins] pollute and impurify the soul, they can be a cause of reducing its spiritual level in the world to come." He then repeats that the minor sins of the righteous person are not deserving of punishment, but "even though it [the minor sin] is not deserving of punishment, it requires atonement" (*af al pi she-einah re'uyah le-onesh ẓerikhah kapparah*). This is a clear departure from Naḥmanides' view of YSA as punitive.

What R. Albo is introducing here is a subtle distinction between punishment and atonement. He is suggesting that suffering can be inflicted by God to atone for sin without that suffering constituting a punishment for sin. Its goal is rather the essential cleansing of the soul from the stain left by the sin. He sums this up in the final sentence of the paragraph: "It is from the love of God for the righteous person that he brings suffering upon him, to purge the dirt and impurity that is in the soul, in order that it achieve the spiritual level that is appropriate for it according to its good deeds and that nothing will impede this."[34] R. Albo (regarding his first category of YSA) agrees with Naḥmanides, whom he cites in his next paragraph, that "there is never suffering without sin." However, despite his citation of Naḥmanides and his appearing to identify his position with that of Naḥmanides, R. Albo differs with Naḥmanides as to whether the suffering consequent on sin is necessarily punitive. For R. Albo, the purpose of the first category of YSA is soul-making rather than punishment.[35]

We have identified two ways in which YSA might be interpreted as a kind of soul-making theodicy. David Shatz argues, however, that the idea found in Jewish sources that YSA enhances the spirituality of the sufferer differs from standard soul-making theodicies in contemporary philosophical discussion in three important respects.[36] First, contemporary soul-making theodicies usually aim to justify God's allowing suffering,

34. R. Albo's position thus ends up being very close to that of Saʿadyah Gaon on Stump's interpretation of him; see n. 17 above.

35. It might be objected that the focus of the interpretations of YSA of *Penei Yehoshua* and R. Albo discussed in this sub-section is not so much soul-making as preventing diminution of the righteous person's eternal reward. However, it seems fair to take the purpose of YSA on these interpretations as soul-making since the preservation of full reward and the achievement of the appropriate spiritual level in the afterlife are inseparable.

36. Shatz, "On Constructing a Jewish Theodicy," 317.

rather than His inflicting it. Second, they do not aim to justify the sufferings of the righteous in particular. Third, soul-making theodicies justify suffering in terms of the moral improvement it fosters in others, not in the sufferer. Nevertheless, as Shatz puts it, "we have a close enough fit [in Jewish sources] to furnish a potential precedent for a contemporary-style SMT [= soul-making theodicy]."[37]

In one respect, I believe that the fit between YSA and soul-making theodicies may be somewhat stronger than Shatz suggests. In general, Hick seems in *Evil and the God of Love* not to conform to Shatz's template, but instead to focus his soul-making theodicy both on the sufferer him- or herself and on others. Admittedly, however, Hick does focus solely on the moral improvement of people other than the sufferer in justifying what he terms excessive or "dysteleological" suffering, i.e. suffering which is entirely counter-productive to the soul-making of the sufferer or simply outright destructive, such as brain disease or an earthquake. Hick argues that these must exist "in a world that is to be the scene of compassionate love and self-giving for others,"[38] evoking "the unselfish kindness and goodwill which are among the highest values of personal life."[39]

Richard Swinburne, although developing a theodicy that goes beyond soul-making, clearly draws on the tradition of soul-making theodicies[40] and explicitly favors theodicies which appeal to the moral growth of both the sufferer and others:

> Very many Christian writers have stressed the value of suffering for the human beings who suffer, in enabling them to form their souls for good. By showing courage and sympathy in the face of their suffering and that of others, people can become naturally good people. That is a theme especially prominent in the Eastern Orthodox tradition, which I shall warmly endorse.[41]

Similarly, he writes that good character

> . . . is the sort of character which responds readily to suffering (in others and in oneself) in the right way. Natural evil provides the opportunity not merely to be heroic but to make ourselves naturally heroic. Without a

37. Ibid. See also Shatz, "Does Jewish Law Express Jewish Philosophy?," 293.
38. Hick, 334.
39. Ibid, 335.
40. Richard Swinburne, *Providence and the Problem of Evil* (Oxford, 1998); Speak, 211-215.
41. Swinburne, 42.

> significant amount of natural evil, we simply would not have the opportunity to show patience and sympathy on the heroic scale required for us to form heroically good characters.[42]

Despite this perhaps even closer fit than Shatz suggests between YSA and soul-making theodicies, I want to argue that a different contemporary philosophical theodicy, namely divine intimacy theodicy, is worth carefully considering in the context of reflection on YSA and promises a still closer fit with YSA. In order to do this, it is necessary first to consider the relationship between the soul-making and divine intimacy types of theodicy.

4. Soul-Making Theodicy and Divine Intimacy Theodicy

Laura Waddell Ekstrom argues that some suffering can constitute a religious experience and a path to knowledge of God, to intimacy with the divine.[43] Ekstrom calls this "the divine intimacy theodicy."[44] On this theodicy, God sometimes permits personal suffering "in order to provide occasions in which we can perceive God, understand him to some degree, know him, even meet him directly."[45]

More will be said about divine intimacy theodicy in the following section, but the above characterization is sufficient to pose the question of the relationship between soul-making and divine intimacy

42. Ibid., 169. Some of the literature dealing with objections to soul-making theodicy also focuses on the moral development of both the sufferer and others. In his "An Examination of the "Soul-Making" Theodicy," *American Philosophical Quarterly* 7:2 (April 1970), Clement Dore, in summarizing the soul-making theodicy, lists "steadfastness, charity and forebearance" as examples of the virtues that suffering makes possible (119). Later in the article, he refers to bearing suffering courageously (120). H.J. McCloskey, "God and Evil," *The Philosophical Quarterly* 10:39 (April 1960), discusses (and opposes) soul-making theodicy at 104-09 (though without using this term). He consistently understands the theodicy he is criticizing as focused equally on virtues that suffering can evoke in the sufferer and on virtues that it can evoke in others, referring to "courage, endurance, benevolence, sympathy" (106), twice on 108 to courage, endurance, charity and sympathy, and on 109 to "fortitude in his own sufferings, and sympathetic kindness in others."

43. Laura Waddell Ekstrom, "Suffering as Religious Experience," in *Christian Faith and the Problem of Evil*, ed. Peter van Inwagen (Grand Rapids, Michigan and Cambridge, 2004), 95-110. Ekstrom also presents the divine intimacy theodicy in Laura W. Ekstrom, "A Christian Theodicy," in *The Blackwell Companion to the Problem of Evil*, 266-80.

44. Ekstrom, "Suffering as Religious Experience," 96.

45. Ibid., 97.

theodicies.[46] The idea of intimacy with God seems important to Hick's soul-making theodicy. Daniel Speak, for example, summarises Hick's theodicy in the following way: Hick holds that God aims to bring human beings into deep intimacy with Him. But this can happen only if human beings have first reached an elevated moral standard, if our souls have first undergone the necessary transformation. The existence of suffering in the world is necessary, in turn, for this transformation to take place.[47] From this description, Hick's soul-making theodicy sounds like a kind of divine intimacy theodicy.[48] The description also makes clear that Hick's soul-making theodicy is "forward-looking" in the sense that it construes suffering as a *means* to desirable ends rather than as *itself* an expression of God's love. As elaborated below in Section 5, one type of divine intimacy theodicy also construes suffering as a means to an end rather than as being itself an expression of God's love. Since this "forward-looking" character is shared by soul-making theodicy and one type of divine intimacy theodicy, it might be argued that this kind of divine intimacy theodicy should simply be considered a version of soul-making theodicy.

However, a crucial difference between the soul-making theodicy and all types of divine intimacy theodicy is that, as we shall see more elaborately in the next section, divine intimacy theodicy construes the intimacy of the sufferer with God as something that is achieved in the here-and-now, in this world (though no doubt proponents of divine intimacy theodicy would concede that the intimacy can be further intensified in a life beyond the grave). Hick, however, concedes that "the soul-making process does in fact fail in our own world at least as often as it succeeds"[49] and that to solve this problem one must appeal to Christian eschatological belief: "Belief in an after-life is . . . crucial for theodicy."[50] The process of soul-making must continue beyond the grave if soul-making theodicy is to be plausible. He states that "[t]heodicy . . . must look towards the future, expecting a triumphant resolution in the eventual perfect

46. I am very grateful to an anonymous referee for this journal for detailed and helpful comments highlighting the need to clarify this relationship and hence the need for this section of the paper.
47. Speak, "Free Will and Soul-Making Theodicies."
48. The theme of intimacy with God is also stressed by Marilyn McCord Adams in her summary of Hick's position in her Foreword to the 2010 reissue of *Evil and the God of Love.*
49. Hick, 336.
50. Ibid., 338.

fulfilment of God's good purpose."[51] Hick describes the "bare bones" of his theodicy thus: "[T]he evils of this life are necessary to prepare us as moral personalities for the life of the future heavenly Kingdom, and . . . they are justified by the fact that in that Kingdom all evil will have been left behind and unimaginable good will fill our lives."[52] So intimacy with God (in fact, Hick talks of "fellowship" with God)[53] is attainable only in the hereafter rather than in this life, and the good which does the work of theodicy and which justifies the suffering of this world is a good located in the *eschaton*. Ultimately "our theodicy must find the meaning of evil . . . in the magnitude of the good to which it leads . . . a kingdom which is yet to come in its full glory and permanence."[54]

In sum, the classic contemporary presentation of soul-making theodicy, namely Hick's, is impelled to maintain that a close relationship with God facilitated by suffering is attainable only beyond this life—in an eschatological future—and only after a very long process of personal moral and spiritual development. It is "forward-looking" towards a close relationship with God only in this eschatological sense. This clearly distinguishes Hick's soul-making theodicy from divine intimacy theodicies which, as we shall now see in section 5, emphasize the much more direct achievement, through suffering, of intimacy with God in this world.[55]

5. YSA as Divine Intimacy Theodicy

*Intimacy with God **through** Suffering versus Intimacy **in** Suffering*

In a similar vein to Ekstrom, Diogenes Allen makes an observation linking suffering and love: "Some religious people report that

51. Ibid., 340.
52. Ibid., 351.
53. See ibid., 196, 198, 237.
54. Ibid., 261.
55. In her two articles cited above, n. 43, Ekstrom, though not making the contrast with soul-making theodicy that I have drawn here, clearly perceives divine intimacy theodicy as distinct from it. In "A Christian Theodicy," where she writes, at 267, that divine intimacy theodicy is supplemental to all standard theodicies, she clearly seems to intend "supplemental but distinct." She does not speak of divine intimacy theodicy as having any relationship with soul-making theodicy in particular. At 272, n. 8, she talks of divine intimacy theodicy as a supplement to free will theodicy in the sense that it provides further explanations, in some cases, of evils that are already explained by free will theodicy. Her focus in the whole article is very much on the intensified relationship with God that suffering makes possible rather than on the moral or spiritual improvement of the soul.

suffering, instead of being contrary to the love of God, is actually a medium in and through which his love can be experienced."[56] Simone Weil writes: "I only felt in the midst of my suffering the presence of a love."[57] This idea suggests itself as a plausible interpretation of YSA.[58] YSA can be understood as suffering visited by God upon a person whom He loves in order to provide for greater closeness and heightened love between God and that person. Linking suffering with divine love is a possible response to the problem of suffering, a theodicy.[59]

The idea suggested by Ekstrom, Allen, and Weil that one can arrive at a heightened knowledge of God through suffering is amplified in Eleonore Stump's treatment of the Book of Job in Chapter 9 of her *Wandering in Darkness*. Referring to Job 42:5, "I had [previously only] heard of you, but now my eye has seen you," Stump writes:

> While God has been talking to him [following all of Job's suffering], Job has been, somehow, seeing God. The communication between God and Job is thus, in some sense, face-to-face communication . . . in the course of the divine speeches, God has been somehow directly present to Job, where the presence at issue produces the kind of cognition that would require the literal sight of a human face if the cognition in question were of a human being . . . God is present to Job with significant personal presence.[60]

This knowledge of God, "[l]ike knowledge of persons . . . is non-propositional."[61] So Job comes to a new, deeper, and closer kind of knowledge

56. Diogenes Allen, "Natural Evil and the Love of God," in *The Problem of Evil*, ed. Adams and Adams, 189.
57. Quoted by Allen, ibid., 197.
58. The commonality between Weil's thought and the concept of YSA is also noticed by N. Verbin, *Divinely Abused: A Philosophical Perspective on Job and his Kin* (London, 2010), 47-48, though Verbin does not discuss divine intimacy theodicy.
59. Although he does not refer in his remarks to YSA or suggest a theodicy (indeed, he famously repudiates the enterprise of theodicy), R. Joseph B. Soloveitchik relates in a moving passage how when he was very ill and awaiting an operation, feeling cut off from even his closest relatives, he felt himself to be alone with God: "A lonely being meeting the loneliest Being in utter seclusiion is a traumatic but also a great experience." See Rabbi Joseph B. Soloveichik, *Out of the Whirlwind: Essays on Mourning, Suffering and the Human Condition*, ed. David Shatz, Joel B. Wolowelsky and Reuven Ziegler (Jersey City, N.J., 2003), 134. I am grateful to David Shatz for pointing out the relevance of this passage to my discussion.
60. Stump, *Wandering in Darkness,* 192.
61. Ibid., 193. Shatz, "On Constructing a Jewish Theodicy," 317, quotes Job 42: 5 to show that a crucial element of the soul-making theodicy appears in the Book of Job. This verse, Shatz argues, "intimates a sharpened religious perception"—Job has grown spiritually. It seems to me that the verse more powerfully suggests a new intimacy with

of God through suffering. One could similarly interpret YSA as suffering that God brings upon a person in order to facilitate this more profound knowledge of Him, this intensified relationship with Him that can be described as love.[62] Interestingly Stump, who does not refer to YSA in her discussion, uses the word "love" to characterize Job's face-to-face experience with God that comes about because of his suffering.[63]

There are several possibilities regarding how exactly the suffering visited on a person in YSA might facilitate greater intimacy between God and the sufferer. YSA might, as Weil envisages regarding suffering, *lead* to greater intimacy with God by, for example, the sufferer yielding to his or her suffering and experiencing greater closeness with God as a result. We have already mentioned *Penei Yehoshua*'s two main interpretations of YSA. Slightly later in his commentary to *Berakhot* 5a, he seems to offer a concise third reading of YSA along these Weilian lines.[64] He writes that "the righteous through suffering [*yissurim*] come out of the dimension of servitude, having been called servants of God, and from now, after their suffering, are called children of God and come closer under the wings of the Divine Presence." *Penei Yehoshua* seems to be referring in this extract to YSA, even if he might also be referring to *yissurin* in general; the fact that he refers to the suffering of the *righteous* suggests this. Moreover, he is explicit later in this section of his commentary that he takes the stage in the *gemara*'s argument on which he is commenting to refer to YSA as well as to other kinds of *yissurin*.

Weil maintains that there is also a level beyond suffering, which she terms "affliction" (*malheur*), summarized by Marilyn McCord Adams as "a condition associated with long-term physical pain, which crushes the

the Divine, a second-person loving relationship.

62. Indeed, Maimonides in *Mishneh Torah*, *Hilkhot Teshuvah* 10:6 famously links knowledge of God with love of God.

63. Stump, *Wandering in Darkness*, 196. This paragraph is not intended to suggest that Stump explicitly advocates a divine intimacy theodicy in her treatment of Job (in fact, she never uses the terminology "divine intimacy theodicy"). Indeed, Stump emphasizes in Chapter 13 of *Wandering in Darkness* that one can't just reduce enormously rich biblical narratives to neat theodicies. But she clearly believes that her reading of Job at least gestures in the direction of plausible theodicies. At one point, she writes, for example: "[T]he ultimate aim of God's providential care in the narrative [of the Book of Job] is closeness to God and the greatness consequent on that closeness" (222). "Closeness to God" suggests divine intimacy theodicy and "greatness" hints at a soul-making theodicy.

64. S.v. *kal va-ḥomer mi-shen va-ayin.*

afflicted by destroying social relations and filling them with self-loathing, shame, and defilement almost in proportion to their innocence."[65] In "affliction," God's love is experienced not just *through* suffering but—a distinction emphasised by Allen—*in* suffering.[66] The suffering *itself* is experienced as God's love, like the physical embrace of a friend which is so tight that it hurts.[67] Weil links this with Jesus's affliction on the cross, but it is not necessary either to follow this distinctively Christian route or to understand YSA as involving "affliction" in the Weilian sense in order to see that YSA might facilitate greater closeness between God and the sufferer either because 1) it is suffering which *results in* such closeness or, more radically, 2) it is suffering which is *itself* God's love, His embrace, as it were. The passage quoted above from *Berakhot* 5a continues with a further teaching concerning YSA:

> Rava,[68] in the name of R. Saḥorah, in the name of R. Huna, says: If the Holy One, blessed be He, is pleased with a man, he crushes him with painful sufferings. For it is said: And the Lord was pleased with [him, hence] he crushed him by disease [Is. 53:10].[69]

"Pleased with" in the Soncino Talmud translation of this passage seems to me a rather anodyne rendition of *ḥafeẓ,* the term used both by Is. 53:10 and R. Huna. The term seems very often to connote strong desire, something approaching love.[70] So R. Huna is almost explicit about YSA involving God's crushing, loving "embrace." This is alternative 2 (or, if one is not prepared to allow that love is connoted by *ḥafeẓ,* alternative 1: someone whom God strongly desires and wants to bring closer to Him he crushes with suffering which will lead to greater intimacy).[71]

65. Marilyn McCord Adams, *Horrendous Evils and the Goodness of God* (Ithaca, NY, 1999), 161.
66. Allen, 199, 201.
67. See Simone Weil, "The Love of God and Affliction," in Weil, *Waiting on God*, trans. Emma Crauford (London, 1973), 76-94.
68. I have again amended the spelling from "Rabbah."
69. The *gemara*'s citation of this text from the "suffering servant" passage is doubtless part of the motivation for those who offer vicarious atonement interpretations of YSA. The *gemara* also cites another part of this verse in this *sugya*. Alshikh actually cites Is. 53:10 when presenting a vicarious atonement reading of YSA in his commentary to Prov. 3:11. For further discussion of Alshikh's views, see below.
70. See e.g. Gen. 34:19; I Sam. 19:1. In the well-known verse of Ps. 34:13, the root *ḥ-f-ẓ* is used in parallel to the root *a-h-v.*
71. An anonymous referee for this journal acutely pointed out that the opening statement of Rava in the *sugya* (quoted at the beginning of Section 2 above) cannot be interpreting YSA according to alternative 2, since the statement focuses on a person who suffers and does not understand why he or she is suffering. But if the person

Significantly, the *gemara* goes on immediately to insist that R. Huna's statement applies (which I take to mean that the sufferings count as YSA[72]) only if the afflictions are accepted by the sufferer with love. This ideal of acceptance is also highlighted by Alshikh at the conclusion of his commentary to Prov. 3:11.[73] While there is a general ideal posited in many Jewish sources of accepting divinely-imposed suffering with love and joy, or at least without complaint,[74] willing acceptance seems to be partly *constitutive* of YSA.[75] This underlines that central to YSA is relationship with and closeness to God.

Some Objections to Divine Intimacy Theodicy and Its Use in a Jewish Context

Before considering further possibilities regarding how exactly the suffering visited on a person in YSA might facilitate greater intimacy between God and the sufferer, we should consider some likely objections to divine intimacy theodicy, and in particular to its use in a Jewish context.

The first objection is that divine intimacy theodicy is appropriate for a Christian theological context but not a Jewish one. As already indicated, divine intimacy theodicy resonates from a Christian perspective. As Ekstrom puts it, "Is not suffering as a means to intimacy with God exactly what one would expect of a God who, on Christian scripture

experiences God *in* the suffering, the suffering will be explicable and he will not wonder why it is occurring. In my view, the best reading of the opening two statements of the *sugya* is therefore that the first statement interprets YSA according to alternative 1 and the second interprets it according to alternative 2.

72. The Schottenstein translation of the Talmud understands this differently: YSA "are visited upon a person only if they are accepted with consent." See *The Babylonian Talmud,* The Schottenstein Edition, the Artscroll Series (New York, 1997). In any event, on the Schottenstein translation, willing acceptance of the suffering is crucial—it is a necessary condition of YSA's being visited.

73. R. Baḥye ben Asher in the passage from his Torah commentary referred to above also emphasises this element. The specific suffering he is dealing with there is that of the Israelites in Egypt. He states that that suffering is YSA designed to increase the Israelites' reward "if they withstand that suffering and bear it with love."

74. See e.g. *Avot* 6:5; *Taʿanit* 8a; J. T. *Shekalim* 5:4; Maharal, *Netivot Olam, Netiv ha-Yissurin,* ch. 1.

75. This is brought out strikingly by Alshikh in his commentary to Prov. 10:16. There he refers to the stories of the sages afflicted with YSA near the end of the *Berakhot* 5a-5b *sugya* (the stories are discussed further below). Alshikh states that God removed the sufferings of these sages because they were not prepared to gladly accept them—the *raison d'etre* of the sufferings, and therefore their continued existence itself was crucially dependent on their being gladly borne. (The essence of the same idea lies behind the Schottenstein translation; see n. 72 above). See also in this connection Alshikh's commentary to Lam. 3:26.

and tradition, took on human form and suffered along with and for the world?"[76] Ekstrom develops her divine intimacy theodicy in this distinctively Christian direction.[77] But the core idea of suffering as intimacy with the divine is, as we have noted, certainly reminiscent of YSA. Moreover, as we have also argued, Job 42:5 indicates how the idea of suffering as leading to intimacy with God can be solidly grounded in a biblical perspective. The idea of suffering as productive of intimacy with God also seems to be supported by the well-known teaching of Ḥazal that God sometimes causes suffering because He longs for the prayers of the righteous or of His people. God sometimes invites a person or group, through suffering, to make a deeper connection with Him and to call out for His Presence alongside him or them.[78]

Although, as just noted, Ekstrom develops the divine intimacy theodicy in some specifically Christian ways, arguing that God sometimes allows human suffering in order that the sufferer can share something of the experience of suffering on the cross, she emphasizes that even if one adopts the doctrine of divine impassibility (as some traditional Christians do), a divine intimacy theodicy is still feasible: "There remains the possibility that God shows himself to a human sufferer in a unique way, even if there is no divine suffering."[79] Given Maimonides' famous antipathy towards anthropopathism, it may seem that the wisest course for Jews attracted to divine intimacy theodicy would be to opt for this "divine-impassibility-compliant" version of it. But even if the idea that God is able to suffer is essential to a divine intimacy theodicy, it is an idea to which traditional Jews can at least relate.[80] It is, of course, not just Tanakh but the literature of Ḥazal as well—sometimes drawing on biblical texts for this purpose—that makes occasional reference to God's suffering. Let me briefly list some well-known examples.[81] *Exodus Rabbah* 2:5 portrays God saying to Moses: "Do you not sense that I am in pain just as the Israelites are in pain [as slaves in Egypt]

76. Ekstrom, "Suffering as Religious Experience," 96.
77. Marilyn McCord Adams also takes the idea that suffering can deepen one's relationship with and knowledge of God in Christian directions in her article "Horrendous Evils and the Goodness of God" and in her book of the same title.
78. See, e.g., *Yevamot* 64a, *Ex. Rabbah* 21:5.
79. Ekstrom, "A Christian Theodicy," 274.
80. I thank Sam Lebens for suggesting putting the point in this way.
81. Such examples, as well as others not mentioned here, are frequently cited. See, for instance, the succinct discussion in Jakob J. Petuchowski, *Theology and Poetry: Studies in the Medieval Piyyut* (London, 1978), ch. 8: "The Suffering God."

. . . I am, as it were, a partner in their pain." Another midrashic passage teaches: "At every time at which Israel is enslaved, the *Shekhinah* is, as it were, enslaved with them."[82] There is also the celebrated notion of the *Shekhinah* being in exile with the Jewish people and returning from exile with them.[83] *Berakhot* 29a and *Ḥagigah* 5b refer to God weeping, *Eikhah Rabbati Petiḥta* 8 depicts God crying because of the Exile from Zion, and *Petiḥta* 24 His suffering and weeping because of the destruction of the Temple. Psalm 91:15, which reads, in part, "I am with him in trouble," is interpreted by Ḥazal to mean that God shares the afflictions of each individual Jew.[84] Mishnah *Sanhedrin* 6:5 (46a) describes the *Shekhinah* participating in human pain.[85] Statements in Ḥazal regarding the suffering of God may be intended as metaphorical, but, as Shalom Carmy points out, Ḥazal clearly considered such language acceptable.[86] The idea that God might in some sense suffer is not an utterly alien and unacceptable one to them.[87]

Nehemia Polen has noted that "hasidic masters, in contrast to thinkers committed to the tradition of philosophical rationalism, were

82. *Mekhilta, Massekhta de-Pisḥa*, ch. 14 (p. 51 in the Horovitz-Rabin edition).
83. Ibid.; see also *Megillah* 29a.
84. Ibid.; see also *Sifrei, Behaʿalotekha*, *piska* 84.
85. Though Eliezer Berkovits, in the course of a critique of A.J. Heschel's doctrine of divine pathos, argues that in *Megillah* 29a and *Sanhedrin* 46a "the very fact that the term *Shekhinah* is used, and not that of God, is in itself an indication how strongly rooted in the Jewish consciousness is the thought of God's impassibility" (Eliezer Berkovits, *Major Themes in Modern Philosophies of Judaism* [New York, 1974], 218). Berkovits goes on to provide instances in which the *Shekhinah* is not explicitly mentioned and the term *kivyakhol* is used; anthropopathic language in Ḥazal is, for Berkovits, always metaphorical. R. Aharon Lichtenstein also notes the use of *kivyakhol* or other qualifications in *midrashim* concerning the destruction of the Temple and exile in *Eikhah Rabbati* (Aharon Lichtenstein, "The Duties of the Heart and Response to Suffering," in *Jewish Perspectives on the Experience of Suffering*, ed. Shalom Carmy [Northvale, N.J, 1999], 51-52). Berkovits also insists that references to "the sorrow of the *Shekhinah*" and "sorrow on High" in kabbalistic and Ḥasidic literature are fully compatible with the notion of God's impassibility (218-19). In Judaism in general, for Berkovits, "the theological climate is determined by a long tradition of affirmation of divine impassibility in face of numerous biblical texts to the contrary" (224).
86. Shalom Carmy, "The Long and Winding Road: By Way of Introduction," in Carmy (ed.), *Jewish Perspectives on the Experience of Suffering*, 10.
87. For a stimulating discussion concerning issues arising in philosophical theology and Jewish theology in talk about God, with particular reference to the idea of God's suffering and the use of the term *kivyakhol*, see Aaron Segal, "A Religiously Sensitive Jewish Philosophical Theology," *The Torah U-Madda Journal* 16 (2012-13): 186-202 (review of R. Ezra Bick, *In His Mercy: Understanding the Thirteen Midot,* trans. by David Silverberg [Jerusalem, 2011]).

generally warmly disposed to the anthropomorphic and anthropopathic tendency within Judaism."[88] In his work *Esh Kodesh*, written in Warsaw during the Holocaust, the Ḥasidic master Rabbi Kalonymus Shapira (1889-1943) develops a theology in which the idea of divine suffering is central. R. Shapira describes God's suffering as infinite and beyond human comprehension.[89] This kind of theology, as Polen points out, "does not emerge from a vacuum; it is strongly rooted in a Kabbalistic-Hasidic worldview . . . . [t]he theme of infinite Divine suffering cannot be viewed as an isolated and idiosyncratic utterance of a religious leader flung about wildly in a cruel maelstrom."[90] Interestingly, at one point in his writings, R. Shapira actually mentions God's suffering along with the sufferer of YSA (as well as with other kinds of sufferers): "[T]here are some sufferings which we suffer on our own account—whether for our sins, or as sufferings of love in order to purge and purify us—in which case He, blessed be He, just suffers along with us."[91]

Although, as mentioned at the outset, I do not intend to deal systematically with objections to the theodicies discussed in this article, it is worth noting two other objections to the divine intimacy theodicy which are potentially so damaging that if they cannot be rebutted they render it very implausible, and with it any reading of YSA as a divine intimacy theodicy.

One is termed by Ekstrom "the objection from cruelty."[92] Permitting suffering seems to be a cruel way of fostering intimacy; it is implausible to hold that a wholly beneficent God would operate in this way. To take Ekstrom's example, a parent who installed no safety gates on the stairs at her home so that her child would fall down the stairs and run to her for comfort would justifiably be considered cruel. Ekstrom's response to this objection is that suffering is not a globally necessary condition of attaining intimacy with God. Rather, the proposal of divine intimacy theodicy is that "perhaps, *some* occasions of suffering enable *certain* individuals' coming to love of and intimacy with God," an intimacy

88. Nehemia Polen, "Divine Weeping: Rabbi Kalonymos Shapiro's Theology of Catastrophe in the Warsaw Ghetto," *Modern Judaism* 7, 3 (October 1987): 261.
89. See Nehemia Polen, *The Holy Fire: The Teachings of Rabbi Kalonymus Kalman Shapira, the Rebbe of the Warsaw Ghetto* (Northvale, N.J, 1994), chs. 6 and 8; Polen, "Divine Weeping," 253-269.
90. Polen, "Divine Weeping," 262.
91. *Esh Kodesh* (Jerusalem, 1960), 191-2; translation from Polen, "Divine Weeping," 258.
92. Ekstrom, "A Christian Theodicy," 275.

which those individuals could not achieve in any other way.[93] Similarly, as we have already noted, Ḥazal do not by any means intend YSA to cover all instances of suffering. It appears to be limited to quite rare cases and perhaps to quite rare individuals, and to depend on the response of the sufferer. YSA as divine intimacy theodicy should be understood as including these qualifications on its scope, just as a plausible divine intimacy theodicy will qualify its scope. This also suggests one reason why YSA is a closer fit with divine intimacy theodicy than with soul-making theodicies; a plausible divine intimacy theodicy is less global in its reach and does not attempt to explain the suffering of all.

A further objection is named by Ekstrom "the objection from lunacy."[94] I think that it could be more accurately termed "the objection from masochism." The idea is that viewing suffering as a path to intimacy with God seems easily to lead to an attitude that welcomes any suffering that one may encounter, taking delight in it because of its supposed spiritual benefits. Indeed, it appears able to lead smoothly to the deliberate infliction of suffering on oneself in order to attain closeness to God. Ekstrom cites the example of the Cistercian nun Beatrice of Nazareth, who is reported to have perceived suffering in this way and, inter alia, to have scourged herself and slept on thorns.[95] An interpretation of YSA as divine intimacy theodicy appears open to the objection from masochism.[96]

The well-known episodes recounted near the end of the discussion of YSA in *Berakhot* 5b constitute a powerful response to this objection. The first of the three similar stories runs as follows:

> R. Ḥiyya b. Abba fell ill and R. Yoḥanan went in to visit him. He said to him: Are your sufferings welcome to you? He replied: Neither they nor their reward. He said to him: Give me your hand. He gave him his hand and he raised him.

David Kraemer argues that these stories clearly legitimate protest against YSA.[97] But although Kraemer is correct that no justification of YSA is

93. Ibid.; emphases mine.
94. Ekstrom, "A Christian Theodicy," 276.
95. Ibid.
96. Daniel Boyarin mentions YSA in his discussion of Jewish masochism. See his *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Man* (Berkeley, 1997), 111-15. R. Norman Lamm anticipates the linkage of YSA with masochism: "The concept of *yissurim shel ahavah*, suffering in love, is not to be understood as a theological form of masochism or sadism" (Norman Lamm, *Faith and Doubt: Studies in Traditional Jewish Thought*, [2nd ed., New York, 1986], 323).
97. Kraemer, 132-34.

offered, God's justice is not questioned.[98] Nor even is the value of suffering. It is simply acknowledged that the pain being experienced is such that it is legitimate to prefer not to suffer and not to reap the rewards of suffering. The stories concede that the fact that God is just and the fact that suffering is valuable and brings reward do not entail that it is not religiously legitimate to want to avoid suffering. The human cost and pain involved in suffering is fully acknowledged by the *gemara*, which shows us that even three great sages reach a point where they want no part of suffering. The *gemara*'s position appears to be that it is not just that it is improper to masochistically inflict suffering on oneself but that even *ex post facto*, once suffering has been visited by God, one need not welcome it as an opportunity for intimacy with Him. It is fully legitimate to reject both the suffering and the closeness to God that it facilitates.[99]

98. Marvin Fox argues that the series of negative answers of the sages in *Berakho*t 5b to the question "are your sufferings welcome to you?" constitutes "forceful anti-theodicy . . . [T]hey reject outright the theodicy of 'sufferings of love'" (Marvin Fox, "Theodicy and Anti-Theodicy in Biblical and Rabbinic Literature," in *Theodicy*, ed. Dan Cohn-Sherbok [Jewish Studies Vol. 18] [Lewiston NY, 1997], 41). I suggest that the sages who respond in the three episodes do accept YSA as a valid theodicy but themselves want no part of suffering, even if the suffering is an expression of God's love.

99. In a similar vein, though without commenting on whether or not the three episodes constitute a rejection of YSA as a theodicy, R. Aharon Lichtenstein notes that "[a]t the personal level . . . Ḥazal recognized that even the greatest very well might prefer to forego both pain and its lucrative aftermath" (Lichtenstein, 46). He cites and translates (ibid., 45) the following striking passage from *Midrash Tehillim* 6:3:

> R. Yudan said in the name of R. Ammi: The congregation of Israel said to the Holy One, blessed be He: "Lord of the Universe, even though the verse states, 'God chastises those whom He loves' (Prov. 3:12)—'Do not rebuke me in Your anger' (Ps. 6:2). Even though the verse states, 'Blessed is the man whom God chastises' (Ps. 94:12)—'Do not chastise me in Your fury' (Ps. 6:2)."

See, however, Alshikh to Prov. 3:11, 10:16 and 10:17, where he states that one afflicted with YSA should not respond "neither they nor their reward." In his commentary to Lam. 3:27 he qualifies this and says that in old age, when one becomes weaker, "neither they nor their reward" is a legitimate response. Maharsha to *Berakhot* 5b, s.v. *ḥavivin alekha yissurin* adops the same basic position as Alshikh. He ingeniously argues that the sages in the three stories would not have responded "neither they nor their reward" had their suffering been YSA. It was only because their suffering was so severe that it was preventing them from studying Torah (and was hence by the Talmud's own definition, according to one opinion, not YSA) that they responded in this way. Maharal, *Netivot Olam, Netiv ha-Yissurin*, ch. 1 (p. 430 in the Pardes edition) suggests that the sages' response "neither they nor their reward" was legitimate, but only because they feared that they may not withstand the suffering and respond improperly as did Job. Nevertheless, it does seem that the straightforward sense of the talmudic text sees little wrong with the sages' response.

Less Direct Forms of YSA as Divine Intimacy Theodicy

There are further possibilities regarding exactly how the suffering visited on a person in YSA might facilitate greater intimacy between God and the sufferer. The connection between YSA and human intimacy with the Divine is interestingly highlighted in the commentary of R. Moshe Alshikh to Hosea 11:4. Alshikh states that there are two types of divinely-inflicted suffering (*yissurin*): those that are visited in response to sin and those—which he defines as YSA—which are visited without sin but in order "to atone for the generation." (The idea here is vicarious atonement achieved for the community as a whole through the suffering of an individual or individuals who is/are themselves without sin.[100]) Referring to the imagery of ropes employed in the biblical verse, Alshikh goes on to say that both types of suffering are means by which God draws the sufferer closer to Himself. However, attending to the two different terms used for "ropes" or "bonds" in the verse (*ḥavlei*, the construct form of *ḥavalim*, and *avotot*), Alshikh states that *avotot*, which he takes to be referring to YSA, are three times thicker and stronger than *ḥavalim*, the term that he understands to refer to punitive suffering. YSA's are thus much more effective than punitive suffering in "drawing towards and causing a person to cleave to Him, may He be blessed." In his commentary to Prov. 3:11, Alshikh writes that through the YSA inflicted on the righteous person as vicarious atonement for the sins of his or her contemporaries, "He [God] will add to His love with which he loves Him a very intense love" and—no doubt taking his cue from the next verse, Prov. 3:12, "For whom the Lord loves He corrects, like a father the son in whom he delights"—the sufferer becomes a "child" of God rather than a mere "servant."[101] Alshikh emphasises this in the concluding sentence of his commentary on this verse: "Through *yissurin shel ahavah* the sufferer rises to exceeding love from Him, may He be blessed, as a father loves a son, and this is stated here in this verse [as Alshikh interprets it] to give a reason for *yissurin shel ahavah* so that one not reject and refuse to accept them [the sufferings]." God's paternal love for the sufferer of YSA is stressed again in his commentary to the following verse.

What Alshikh presents here is YSA as a less direct kind of divine intimacy theodicy than those kinds we have discussed thus far. By means

100. In his commentary to Hosea 14:6 and Prov. 3:11, Alshikh explicitly links YSA to the notion of vicarious atonement.

101. Cf. *Penei Yehoshua*'s use of this theme in presenting a divine intimacy interpretation of YSA discussed above. The first part of Prov. 3:12, as we saw earlier, is quoted near the beginning of the discussion of YSA in *Berakhot* 5a.

of the sufferer vicariously atoning through YSA, he or she becomes more beloved of God. The intimacy plays an important role here—Alshikh's great emphasis on it suggests that vicarious atonement is only a secondary factor in justifying the suffering of the righteous innocent person. His or her suffering is justified mainly because it brings him closer to God; it is divine intimacy which is doing the work of theodicy, of justification.[102]

A further form of YSA as a divine intimacy theodicy is more direct than Alshikh's but less direct than the Weil-type modes discussed earlier. It returns us to the idea of YSA as purging of the soul, which we encountered in our discussions of Naḥmanides and *Penei Yehoshua*. This idea is also important in the interpretations of YSA presented by R. Nissim of Gerona (Ran) and Maharal, but in a different way.

Ran states his view of YSA concisely in the tenth *derashah* of *Derashot ha-Ran*.[103] His conception of YSA is explicitly non-punitive. The purpose of YSA is to distance the righteous person from material matters and desires as far as possible. This appears to be the same kind of soul-making theodicy as we encountered in *Penei Yehoshua*'s first main interpretation of YSA. However, it is interesting that Ran uses the language of divine intimacy at one point in his brief treatment of YSA. He writes that it is impossible even in the case of a very righteous person who does not sin "*she-lo yatriduhu meʿat taʾavot ha-olam me-hiddavek be-Boreʾo,*" "that some this-worldly desires will not interfere with his cleaving to his Creator."[104] While it appears that Ran's main thrust in the single paragraph he devotes to YSA in this *derashah* is soul-making, the inclusion of the element of divine intimacy is perhaps significant.

We come now to the position of Maharal. Maharal mentions YSA in several places in his voluminous works, but his central discussion is in *Netivot Olam, Netiv ha-Yissurin,* chapter 1. As noted above, Maharal understands YSA as non-punitive. How, then, is it to be explained? Maharal's answer is that YSA is necessary to cleanse and purge the soul of its attachment to the material so that it may attain the supreme spiritual level. Once again, this sounds very close to the first main interpretation of *Penei Yehoshua*. But if we attend to the way in which Maharal

102. This distinguishes Alshikh's position from *Penei Yehoshua*'s second main interpretation of YSA discussed earlier, in which vicarious atonement appears to play a much more central role in justifying the suffering.
103. *Derashot ha-Ran ha-Shalem im Perush Beʾerot Moshe*, ed. R. Aryeh Leib Feldman (Jerusalem, 2003), 402-403.
104. Ibid.

formulates this idea, it becomes clear that his position is substantially different to that of *Penei Yehoshua*. Maharal writes:

> And they are called afflictions of love [*yissurin shel ahavah*] because God loves him [the sufferer] *and wishes to draw that person close to Him so that he may cleave to Him*, but the person has something preventing him which is *not fit to cleave to Him*. Therefore God brings suffering upon him to purge him *so that he is fit to cleave*, and therefore they are called afflictions of love. The [correct] interpretation [of YSA] is not that because of love He inflicts suffering on him, which would certainly be inappropriate, but that God loves and desires him *and therefore wishes to bring him close to Him*, but the person has not attained this level, and so God purges the material blemish in him *so that he is fit to cleave* [to God].[105]

It is clear from this passage that the purging and improvement of the soul accomplished by YSA is not the real purpose of the afflictions but rather only a means, albeit a necessary means, to an end. That end, as repeatedly emphasized in the passage, is closeness to, cleaving to, intimacy with God in this world. While the idea of YSA as the purging of the soul makes the position of Maharal initially seem close to that of *Penei Yehoshua*, then, a careful reading of Chapter 1 of *Netiv ha-Yissurin* yields the conclusion that Maharal reads YSA as a divine intimacy theodicy rather than as a kind of soul-making theodicy, as if taking up the hint in Ran's treatment of YSA but going much further with it. A little further on, Maharal emphasizes the real purpose of YSA from his perspective: "The Holy One desires him, to bring him to Him so that he is close to Him."[106] Indeed, Maharal stresses throughout this chapter the theme of closeness to God and YSA as a means to it.[107] What Maharal presents in *Netivot Olam* is a divine intimacy theodicy: what justifies the suffering is the achievement of closeness to God in the here-and-now. Of course, one could argue that greater closeness to God is itself an improvement of the soul. But Maharal's emphasis on the attainment of intimacy with God in this world makes his position a divine intimacy rather than soul-making theodicy.

That emphasis also emerges in chapter 1 of *Netiv Ha-Yissurin* in his explanation of one of the differences of opinion in the *Berakhot* discussion of YSA. According to one opinion in the *gemara*, any suffering that causes *bittul Torah*, the negation of Torah study, cannot constitute

105. *Netivot Olam*, ed. Pardes, vol. 2, p. 427; emphases mine.
106. Ibid., 428.
107. In *Netiv ha-Yissurin* ch. 2 (ibid., 433-34), the idea of YSA as a means to closeness with God is underlined yet again.

YSA. According to a second opinion, any suffering that causes one to be unable to pray cannot constitute YSA. Maharal explains the first opinion thus: since Torah study is the best way of cleaving to God, suffering that causes distancing from God through inability to study cannot be YSA. Similarly, according to the second opinion, prayer is the quintessential method of achieving closeness to God, and so suffering which prevents the attainment of this intimacy cannot be YSA. The dispute between the two opinions focuses on whether Torah study or prayer is the optimum tool for achieving intimacy with the divine, but "both agree that *yissurin shel ahavah* cannot involve distance and separation from God."[108]

In articulating the need for willing acceptance by the sufferer of YSA, emphasized as we have seen in the *Berakhot sugya* and Alshikh as constitutive of YSA and crucial to the idea of intimacy, Maharal once again underscores the central role of intimacy with God in the here-and-now: "He [the sufferer] needs to accept them [the afflictions] in love, for if he does not accept them in love he does not cleave to Him, and how then will these be *yissurin shel ahavah*?"[109]

6. Conclusion

The central argument of this paper has been that divine intimacy theodicy is the option in contemporary philosophy of religion that is most fruitful to consider in connection with YSA. We have surveyed a number of ways in which YSA might be interpreted as a divine intimacy theodicy and have argued that these are identifiable in talmudic or important later sources. Moreover, the idea that suffering can be productive of intimacy with God is, we have seen, found in Jewish sources even independently of YSA. And even if divine intimacy theodicy is construed in its more radical mode as involving the idea that God can suffer, this idea is far from an alien one in important strands of Jewish tradition. It would seem that divine intimacy theodicy is not just an interesting notion for Christian thinkers but is worthy of

108. *Netivot Olam*, ed. Pardes, vol. 2, 428.

109. Ibid. Maharal here seems to support my reading of *Berakhot* 5a as opposed to the Schottenstein edition's; see n. 72 above. Maharal implicitly (or perhaps explicitly) suggests here—as others, e.g. R. Yosef Albo, sometimes do in their discussions of YSA—that *ahavah* in the phrase *yissurin shel ahavah* can be taken as referring to the love of the sufferer for God as well as God's love for the sufferer. If YSA is read as any of the kinds of divine intimacy theodicy discussed in Section 5 of this article, the term *ahavah* in *yissurin shel ahavah* could similarly be interpreted not only as God's love for the sufferer, but as the love of the sufferer for God, which is elevated to a new level.

consideration as part of a traditional Jewish theological approach to the problem of suffering, particularly in relation to the doctrine of YSA.

None of this is to deny that the talmudic *sugya* in which the concept of YSA is primarily embedded is far away from the formal presentation and categorisation of theodicies. As Louis Jacobs notes, in the *Berakhot* 5a-5b *sugya* "we are far removed from anything like a systematic treatment by the Rabbis of the theological problem of suffering."[110] It is a commonplace that Ḥazal generally eschewed systematic theological discussion. Perhaps that is a particular strength when it comes to the problem of suffering; many have argued for the inappropriateness and even callousness of attempting to deal with the complexities of this topic in a series of neat analytic propositions. Others disagree: John Hick urges that "to erect a general embargo upon the reasoned consideration of sin and suffering would be to abandon the vocation of philosopher or theologian."[111] In a sentence which mentions together the two central concepts which have been the focus of this essay, R. Norman Lamm writes: "The theme of suffering, like that of love, is poorly served by normal theological discourse precisely because it is so central to and so massively problematical for the whole enterprise of religion."[112] He suggests that "[l]iterature, with its liberal recourse to symbols and layered meanings and nuanced situations, is better equipped to explore and suggest and probe this most potent of all questions."[113] Those who find systematic philosophical or theological treatment of suffering ultimately inadequate may well feel that the non-systematic nature of the *Berakhot* YSA *sugya* and, like so many aggadic *sugyot*, its ability to straddle the border between theology and literature so effectively, enable it to combine open-endedness, deep insight, and an awareness of the ambiguities inherent in this most challenging area.

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110. Louis Jacobs, "The *Sugya* on Sufferings in B. *Berakho*t 5a, b," in *Studies in Aggadah, Targum and Jewish Liturgy in Memory of Joseph Heinemann*, ed. Jakob J. Petuchowski and Ezra Fleischer (Jerusalem, 1981), 43.
111. Hick, 9.
112. Lamm, 313.
113. Ibid.

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Jewish Reflections on the Resurrection of the Dead

Oh, Danny Boy, the pipes, the pipes are calling
From glen to glen, and down the mountain side,
The summer's gone, and all the roses falling,
It's you, it's you must go and I must bide.

But come ye back when summer's in the meadow,
Or when the valley's hushed and white with snow,
It's I'll be here in sunshine or in shadow,
Oh, Danny Boy, oh Danny Boy, I love you so![1]

A fundamental belief of Judaism is the belief in reward and punishment; those who follow God's law will be rewarded for doing so, and those who do not will be punished for failing to do so. This theme is stated explicitly in the Torah on many occasions and it provides the framework for the historical account in the early prophets. The biblical versions of this belief refer to this-worldly rewards and punishments, but the problem of "the good who suffer and the evil who

1. This is a very moving song sung at traditional Irish wakes, and this connection with wakes and death has always suggested to me that this song represents a belief and a prayer that Danny will be resurrected and reunited with those who love him. It is useful to remember that the belief in bodily resurrection of the dead is not restricted to Jews.

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prosper" in this life seems to require a belief in an afterlife in which rewards and punishments correspond to one's deeds.[2] And indeed we find in the Mishnah two such beliefs, a belief in the resurrection of the dead and a belief in punishment in Gehinnom for at least a limited period of time.

The centrality of the belief in the resurrection of the dead is stressed in the Mishnah[3] where it is ruled that there are two beliefs whose denial results in the denier losing a share in the world to come: the belief that the Torah is from heaven and the belief in the resurrection of the dead. But this *mishnah* also introduces the concept of the world to come (*olam ha-ba*), since that is what is denied to the sinner who does not believe in either of these beliefs. What is the relation between these two? Is the world to come just the world that exists after the resurrection of the dead? If so, what happens to the person between their death and their resurrection? To make things even more complicated, another *mishnah*[4] refers to punishment in Gehinnom as lasting twelve months, without specifying when this occurs and what happens afterwards. How does this fit in with these other beliefs about the resurrection of the dead and the world to come? The obvious suggestion is that it relates to existence which occurs after death but before the resurrection, allowing for the disembodied self to experience Gehinnom (and then rise to Gan Eden). But then what point is there to the resurrection of the dead? If the resurrection of the dead is a bodily resurrection with normal human bodies engaged in

2. Even so extreme an Enlightenment figure as Kant makes the same move in the *Critique of Practical Reaso*n II:2:4 ("On the Immortality of the Soul As a Postulate of Practical Reason"). I leave aside for now the question, much discussed among Jewish philosophers, as to why the biblical version refers to this-worldly rewards and punishments. I also leave aside for now the important question of whether a belief in the afterlife serves other functions. After all, the traditional belief in the afterlife is an eternal afterlife, and far less than that is required to redistribute rewards and punishments so as to restore a just proportion between actions and rewards/punishments. Frances Kamm has an important discussion of these issues about never going out of existence in Part I of *Morality, Mortality I* (New York, 1993).

3. See *Sanhedrin* 10:1. The chapter is known as *perek Ḥelek* because of its opening statement that all of Israel has a share (*ḥelek*) in the world to come except for certain categories of people.

4. *Eduyot* 2:10. The classical commentators make explicit that this occurs right after death and that afterwards the soul goes to Gan Eden, but this is not explicit in the *mishnah*—the related passage in *Rosh Hashanah* 16b-17a is interpreted by Rashi and Tosafot as referring to a judgment at the time of the resurrection of the dead, not immediately after death, raising further complications in understanding both this *mishnah* and the talmudic passage.

normal human activities, where that is thought to be a further reward, then it has a point. But if the resurrected body is just a spiritual entity, not performing normal bodily activities,[5] what is its point, since those who are resurrected are already living such a life in Gan Eden? All of these questions have been debated by Jewish thinkers over the ages and different views have been adopted.

There is a related paradox that has always troubled me. The *Anshei Keneset ha-Gedolah*, men of the Great Assembly, when they formulated the text of the *Amidah*, clearly placed their emphasis on the belief in the resurrection of the dead. Three times each day, observant Jews praise and bless God as the one who "keeps his faith with those who sleep in the ground" because he "gives life to the dead." Yet, in all my years in yeshivah, the emphasis was always on Gehinnom and Gan Eden, and my friends report the same experience. No doubt, part of the explanation of this lies in the connection of those latter beliefs with Kaddish related customs.[6] But it is strange that we pray daily for one form of afterlife but then emphasize the other type whenever death-related prayers are recited.

There is still a further complication. In addition to these views about individual salvation, perhaps after a period of punishment, there is also the central Jewish belief in the coming of the messiah who will usher in a time of national salvation. How are these visions of individual and national salvation to be combined?

This essay will not attempt to trace the complete history of the discussion of these issues. I will discuss primarily the views of Saʿadyah, Maimonides, and Naḥmanides at some length. I will argue that the first two emphasize one of these beliefs (for Saʿadyah, the resurrection, for Maimonides, disembodied survival) at the expense of the other, which plays a minimal role in their thinking. This differs greatly from Naḥmanides, who incorporates both into his belief system. It is this Naḥmanidean position which has become the standard interpretation of the afterlife in traditional Judaism, and it is this position which will be the focus of my reflections at the end of this essay.[7]

5. This seems to be the Christian view of "glorified bodies," and is held by many medieval rabbinic thinkers as well. See, e. g., Ravad to *Hil. Teshuvah* 8:2.
6. See the glosses of R. Isserles to *Yoreh Deʿah* 376—we will discuss this issue below.
7. A question I will not discuss in this essay is how these authors interpret biblical passages employing the concept of *she'ol*.

I. The Philosophers

A. Sa'adyah

Sa'adyah's philosophical work is one of the best organized works in medieval Jewish philosophy. This is clearly reflected in his organization of his views on the topics with which we are concerned. His views on the soul and on human beings, on the resurrection of the dead and on reward and punishment occupy three of the ten treatises in *Sefer Emunot ve-De'ot* (*The Book of Belief and Opinions*; originally in Arabic): treatises six, seven and nine, eight being reserved for the messianic redemption. We will see as we proceed why the material is organized that way.

I want to focus for my purposes on his central themes:

1. The nature of the human being (treatise six)

a. Sa'adyah makes very strong claims about the interrelationship between the body and the soul: the soul can perform its activities[8] (he mentions reasoning, appetition and anger[9]) only by means of the body (VI: 3). Put more precisely, the claim is that these activities are the product of one agent (VI: 5). Sa'adyah gives, however, no account of how this joint agency works, other than to say that it is connected to the heart.[10]

b. Nevertheless, Sa'adyah is very clearly not a materialist. He describes the soul as having a luminous and noble character, which certainly distinguishes it from the body, although its luminosity increases only through the actions performed by means of the body.

c. Sa'adyah, as a dualist, sees death as the exit of the soul from the body, and says that it "is stored up until the time of retribution" (VI:7). Given what we shall see below, this must mean until the time of the resurrection. In popular Jewish culture, Gan Eden and Gehinnom are the places where souls exist after death, where Gehinnom serves as a purgatory for some sinners, and a permanent abode for others. Sa'adyah, by contrast, places his account of these in his discussion of reward and punishment after the resurrection (IX: 5). He does say, however, that the

8. I leave aside the meaning of the difficult passage in VI: 3 where he speaks about cognition being performed by means of the essence of the soul (p. 243). The difficulty is heightened by the fact that it is followed immediately by the strong claim about the soul using the body to perform its functions.

9. This seems like an echo of the Platonic idea of the tripartite soul, especially given that anger is the third activity.

10. Sadly, while he recognized that the nerves seem centered in the brain, he dismisses them as just the sinews of the body.

souls of the righteous are stored up until the resurrection in a higher place than the souls of the wicked,[11] implying a sort of reward and punishment.[12]

d. Given his views about reward and punishment occurring after the Resurrection, Saʿadyah needs to devote a treatise (seven) to the resurrection and a treatise to the associated redemption (eight) before he can get to reward and punishment in treatise nine.

2. The resurrection of the dead (treatise seven)[13]

Saʿadyah believes in two resurrections (VII:4-8):

a. The first will come at the time of the messianic redemption of *this* world. Virtuous and repentant Jews will be resurrected and will enjoy an embodied existence (eating, drinking and marrying). Only those who are to be rewarded will be resurrected in this first resurrection. So, for Saʿadyah, there is a definite connection between national salvation and a part of individual salvation.

b. The second, which is the topic of treatise nine, will be a general resurrection of all, those who are to be rewarded and those who are to be punished. Saʿadyah believes that this will occur in a new world, which the rabbis referred to as the world to come. Although those who are resurrected are embodied in real bodies, they will not engage in bodily acts such as eating and drinking.

c. There is an interesting passage in which Saʿadyah justifies the two resurrections:

11. His language varies slightly from the text in *Shabbat* 152b, which is presumably his main source for the idea that the souls are stored up. This passage is in turn a commentary on a blessing to David given by Abigail in chapter 25 of Samuel I. The language, with further variations, is found in the *Sifrei* to Deuteronomy (p. 401 of the Finkelstein-Horovitz edition) and elsewhere in the midrashic literature. An earlier version of this thought is found in the apocalyptic book *Esdras* (2:35-37), where the souls of the righteous are asking when they will be released from their chambers to receive their reward in the resurrection. I thank my colleague, Matthias Henze, for calling my attention to this passage. I cannot find any references to this thought in rabbinic literature.

12. He also allows for a difference in the short-term suffering from the pangs of the grave. My *ḥavruta*, Gideon Miller, has suggested that these two differences are Saʿadyah's version of reward and punishment of the soul after death but before the Resurrection. But this suggestion, and the claims of Saʿadyah's it is based upon, go against Saʿadyah's basic claim that reward and punishment are meted out only to the united body and soul. Because of this, he explicitly disavows the idea that either the soul alone or the body alone is punished (IX: 5). According to Saʿadyah, reward and punishment in the hereafter is meted out to the body and soul united.

13. There actually are two versions of treatise 7 published in the Yale Press translation. I did not find many significant differences between them as they relate to our issues.

> But what is there in this that would contradict the view that this nation would enjoy an advantage in being granted an additional period during which our dead would be resurrected by God prior to the world to come. . . . [W]hy should it not be considered as a mere act of justice whereby whoever has been tried receives compensation in proportion to his trials, since this nation of ours has been subjected by God to great trials. . . (VII:8).

d. Both resurrections are bodily resurrections; they have to be if thoughts and desires are to be possible. But the former involves the resurrected person engaged in normal bodily activities while the latter does not. Why the difference between the two? It is easier to understand the latter. Saʿadyah is simply capturing the talmudic view[14] that none of these activities will take place in the world to come, the world of the second resurrection. Moreover, his picture of that world is of a far more spiritual world in which such activities have no place. None of this holds for the first resurrection which takes place in our ordinary physical world, and Saʿadyah quotes both midrashic and talmudic sources that the people involved in this-worldly resurrections (such as those discussed in Ezekiel) procreated.[15]

e. Many have expressed doubts about the possibility of the resurrection of the dead, and Saʿadyah attempts to address them. Most of these doubts are based upon the assumption that the resurrected body is the same as the previous body. It never occurs to Saʿadyah that it might be the resurrection of the same person as an embodied person but that their new body is not the same body as the previous body of that person.[16] There is one passage where Saʿadyah is considering whether the person whose original body was blemished will be resurrected with that same blemished body. Following a talmudic passage (*Sanhedrin* 91b), Saʿadyah says:

> He will first be resurrected with that blemish still adhering to him so that his fellowmen may recognize him as being that particular person. After that, the Creator will cure him. . . (p. 432, chapter 8 of the second version).

Given that most people die with a great many blemishes (this is called aging—but who would want to live forever in an aged body), God is basically going to redo our bodies. It is interesting to note his reason: "so that his fellowmen may recognize him." But it is still the same body.

14. *Berakhot* 17a (citing Rav).
15. VII:7, p. 280. in the Yale edition.
16. This crucial possibility seems to have been first raised by Ḥasdai Crescas, many centuries later.

3. Reward and Punishment (treatise nine)

a. Sa'adyah begins his discussion by reiterating three points: (1) there must be a different world, the world to come, in which the wicked are punished and the good rewarded, if God's justice is to prevail; (2) these rewards and punishments must be given to embodied persons; (3) In the general resurrection (resurrection #2) they must be non-material rewards and punishments, given the more spiritual nature of the world to come.

b. This state of reward and punishment after resurrection in the world to come is called Gan Eden and Gehinnom only because in the Bible those names symbolize excellence and baseness, respectively (IX: 5).

c. Sa'adyah insists (IX:7) that these rewards and punishments must be eternal. He recognizes that there is an issue about eternal punishment being excessive, but asserts that any lesser threat will not necessarily be efficacious.[17]

d. Sa'adyah believes (IX:9) that these eternal punishments are restricted to nonbelievers, polytheists and unrepentant severe sinners.[18] What about unrepentant sinners who have committed lesser crimes? Sa'adyah's theory of punishment doesn't seem to incorporate a belief that they suffer torment in the world to come for a limited period of time. This is particularly troubling in light of both mishnaic and talmudic discussions of just such a view of Gehinnom.[19] He merely says (IX: 9) that they have been punished in this world and that they have the merit of not having committed (or repenting of) the graver sins.

4. Concluding Remarks about Sa'adyah

a. For Sa'adyah, it is the resurrected embodied person who is the object of reward and punishment and not some disembodied soul which exists after the death of the body.

b. The philosophical root of Sa'adyah's theory is his view that it is only embodied persons who can act, even if the actions are normally

17. In contemporary terms, Sa'adyah has turned to a deterrence theory to justify seemingly excessive punishments, a move that exemplifies a well known difficulty with deterrence theories. He applies the same logic to rewards needing to be eternal. In either case, these claims about effectiveness seem questionable. Who is it that would not be deterred by the threat of a thousand years of torment but would be deterred by the threat of eternal torment?

18. Those who committed crimes that are deserving either of the death penalty or of *karet*.

19. For example, the *mishnah* in *Eduyot* cited above and the discussion in *Rosh Hashanah* 16b-17a.

viewed as psychological actions (e.g., thinking, feeling). As we saw above, Saʿadyah is not a materialist. But his views do fit in with contemporary neurophysiological accounts of psychological actions, insofar as these stress the bodily activities required for psychological actions. This strength is limited by his failure to give an account of this soul-body interaction even in psychological actions.

c. There are major aspects of the rabbinic tradition that are not incorporated into Saʿadyah's views. The most important, of course, is his failure to incorporate the mishnaic tradition of twelve months in Gehinnom and later traditions of subsequent rewards in Gan Eden.

B. Maimonides

In his time, and after his death, Maimonides' views about the afterlife were a matter of great controversy, for although he affirmed on several occasions a belief in the resurrection of the dead, many claimed that he did not believe in it, primarily because he leaves it out of many of his accounts of reward and punishment. I am not interested in this essay to explore what he really believed, although I would take his insistence that he believed in it and his inclusion of it as one of his thirteen essential beliefs of Judaism, as strong evidence of his belief. What I am interested in is defining his general approach and seeing whether his belief in the resurrection fits smoothly into it.

What are his basic beliefs about the soul and about reward and punishment in an afterlife? In offering an answer to this question, I will follow a straightforward reading of the text, leaving aside for later discussion the attempt by later authorities, starting from Naḥmanides, to reinterpret the text. There are three crucial points that emerge when we look at his discussion in *Laws of Repentance*.[20] They are:

1. The nature of a human being

a. Maimonides, following a long medieval tradition, distinguishes a soul which requires a body to function (he calls this the *neshamah*) from a soul (called *nefesh*) which does not.[21] In *Laws of the Foundations of*

20. Correctly or incorrectly, I always give precedence to that text, because *Mishneh Torah*, in which it is embedded, presents a comprehensive picture of all of Maimonides' views on such a large number of topics, and is undoubtedly the work of his which has had the greatest influence on Jewish life and thought through the centuries.

21. See Laws of Repentance 8:3. This distinction is a descendant of Aristotle's views in *De Anima.* A major issue in medieval philosophy was how to develop this theory of two souls. See on this topic Herbert Davidson, *Alfarabi, Avicenna and Averroes on Intellect* (New York, 1992), especially 180-208, where he discusses these issues in the

the Torah (chapter 4), Maimonides elaborates upon this distinction. The *neshamah*, which is the form of the body, engages in conjunction with the body in a wide variety of physical activities, as well as in thinking and feeling. The *nefesh*, on the other hand, is nondependent on the body and on the *neshamah.* It engages in pure intellectual activity. It is what the Bible refers to when it talks about human beings being created in the image of God, and only human beings have a *nefesh*.

b. At the time of death, both the body and the *neshamah* go out of existence. Only the *nefesh*, which is dependent upon neither, can continue to exist and engage in pure intellectual activities. It is this view which leads the Ravad to remark (*Laws of Repentance* 8:2) "The words of this man are close to one who would say that there is no resurrection of the bodies of the dead, only of their souls."

2. The Resurrection of the Dead

a. In the text we have been analyzing, there is no mention of the resurrection of the dead. We need to turn to Maimonides' letter on the resurrection [22] to get some insight into these crucial issues concerning his beliefs. But when we do that, we are disappointed. Most of that essay is a polemic about how to interpret biblical verses, literally or figuratively, and how to interpret sayings of the sages. What we get is the following:

> The expressions of our sages allow free scope to our assumption that the bodies restored to life will eat, drink, generate and die after a prolonged existence. . . . But that [a passage he has just quoted] does not imply that the Almighty will not cause the resurrection whenever he wills, and on behalf of whomever he wills, either at the time of the Messiah or after his demise. [23]

This is of only modest help because we are not told the purpose of this resurrection. If these people have already attained when they die disembodied life, which is as we shall see the highest reward, why is it a reward for them to be brought back to the physical world to enjoy the pleasures of that world? [24] I think that it is fair to say for this reason that

context of Jewish thought. It should be noted that Sa'adyah, believing that all activities require the use of the body, distinguishes (VI:3) the *nefesh* as the appetitive faculty from the *neshamah* as the intellectual faculty.

22. This letter was written in 1191 in response to scholars in Damascus who raised questions about Maimonides and his belief in the resurrection of the dead.

23. See the translation in J. David Bleich, *With Perfect Faith* (New York, 1983), 644-46.

24. He does, however, offer an explanation as to why he believes that the resurrected body will engage in normal bodily activities; otherwise, he argues, what is the point of the body. For those who think that these bodies will be different, Maimonides advises them to keep silent as "their silence will be considered wisdom." I will say more on this

this view is in tension with Maimonides' general system, and that is an important reason why many suspected that he did not really believe in the bodily resurrection of the dead.

b. Another text which we might examine is his commentary on the chapter *Ḥelek* in the Mishnah (*Sanhedrin*, chap. 10). At the end of his opening comment, he lists his thirteen principles of faith, the last of which is the resurrection of the dead, "as we have explained." But in the earlier explanation he offers, reward and punishment seems confined to a spiritual existence. It does not even contain the minimal involvement of bodily resurrection found in his letter.

3. Reward and Punishment

a. The reward to be received is a spiritual reward which consists of taking pleasure from the awareness of the divine presence. It is the *nefesh*, existing in a disembodied manner, which will be rewarded in the afterlife. To quote Maimonides:

> We will be like them [the angels] after death. These men who purify themselves will reach this spiritual height. They will neither experience bodily pleasures, nor will they want them. . . . In the world to come our souls will become wise out of knowledge of God the Creator. . . . The ultimate good, the final end is to achieve this supernal fellowship, to participate in this high glory in which the soul is forever involved with the existence of God the Creator. . . .[25]

b. This is attained by the righteous at the time of their death. This is what is called "the world to come." This point is stressed in *Laws of Repentance* 8:8, where Maimonides claims that the world to come already exists for it is where the righteous go at the time of their death. So there is no connection between this individual salvation and the communal salvation at the time of the messiah.

c. The punishment for the sinners is that they are extinguished at the time of their bodily death and do not exist any further. Maimonides, unlike Saʿadyah, is therefore able to have a view of eternal punishment without eternal torment or even temporary torment. When the sinner dies, the sinner goes out of existence, and therefore suffers no torment. So Maimonides does not have to defend either the justice or the necessity of eternal torment.

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point in the next section. Another question is why the resurrected die again.

25. This passage appears in his introduction to *Perek Ḥelek*. This translation appears on the Maimonides Heritage website, www.mhcny./org/qt/1005.pdf.

d. Rabad, Naḥmanides and other classical opponents found several of these points unacceptable. One of their most important criticisms is that it leaves no room for differential punishment of sinners in proportion to the gravity of their sins, since the existence of all of them are equally extinguished at the time of their bodily death. Another is that it leaves no room for the temporary twelve-month account of Gehinnom in the passages cited above. We will return to their discussions below.

e. In addition, there are major philosophical difficulties with his account:

i. Maimonides, like Aristotle before him,[26] had an excessively intellectualist account of the good for humans, eternal or temporal. Even if you suppose that this understanding of the deity is the greatest good, it hardly follows that the best life for humans includes only it.

ii. The whole Maimonidean account rests upon the idea of this divine contemplation being an activity that does not require the human being to be embodied because it involves only a special soul called the *nefesh*. We may not be willing to accept this metaphysics of the mind. Medieval Aristotelians (Jewish, Christian and Muslim) struggled with many difficulties as they tried to develop this dual soul theory.

4. Concluding Remarks about Maimonides

a. For Maimonides, it is the surviving *nefesh* which is the object of reward, while punishment merely means the non-survival of the *nefesh*. All of this occurs right after death in *olam ha-ba*. But for those who have received this reward, there will also be a temporary additional reward at some later date, when they are resurrected in a fully material body and live a fully material life for an extended period of time until they die and return to their existence as a disembodied *nefesh*.

b. The philosophical root of the Maimonidean theory is very clearly his belief in the existence of the *nefesh*, a soul whose activities are independent of the body and a soul which can survive the death of the body.

C. Concluding Remarks about the Philosophers

I have called Saʿadyah and Maimonides the Philosophers, not merely because they were philosophers, but because their differing views were driven by their very different philosophical accounts of the nature of human beings. For Saʿadyah, to be human is to be embodied, because it is only then that you can act. So reward and punishment must relate

26. See Aristotle's *Nicomachean Ethics*, Book X.

to embodied persons, even if the resurrected body does not engage in bodily activities and pleasure. For Maimonides the crucial part of the person is the *nefesh*, which can exist in a disembodied fashion and engage in intellectual contemplation. So reward and punishment involves the survival or non-survival of the *nefesh*. One talmudic passage that heavily influences both of them is the claim that in the world to come, there will be no engagement in physical activities, although this makes Maimonides' view about the resurrection even more problematic. Finally, I want to stress that neither seems to pay attention to the mishnaic and talmudic claims about a twelve-month stay in Gehinnom.

The obvious question to be asked is how to understand the neglect of these passages by Saʿadyah and Maimonides. I have an explanation to offer in the case of Maimonides. In his *Letter on the Resurrection*, he announces the general principle that "... on a point concerning which the Rabbis differ, if it does not imply the performance of a divine precept—it is immaterial which of their opinions we accept" (644). This is presumably meant to contrast with normal halakhic decision making. The one he chose is the statement (already cited) that in the world to come, there is no eating or drinking, etc. . . . He adds to this the reflection that there is no purpose for such beings to have a body, and he therefore draws two conclusions: (1) the world to come involves no bodily resurrection and can begin right after death and (2) the resurrection of the body must involve our temporarily living again as embodied creatures engaged in normal bodily activities in some later stage of this world.

II. The Naḥmanidean Tradition

A. Naḥmanides

Naḥmanides is known today primarily for his commentary on the Torah and for his novellae on a large number of talmudic tractates. But these two achievements, as monumental as they are, hardly exhaust his contributions to classic Jewish literature. One of his other major contributions was a halakhic work titled *Torat ha-Adam*. It is a systematic review of Jewish laws related to illness, medical care, death and dying, burials and mourning practices. Appended to this work is a non-halakhic discussion of reward and punishment after death,[27] and this will be the prime source for our discussion of his views.

27. *Shaʿar ha-Gemul*, in Chaim D. Chavel, *Kitvei Ha-Ramban* (Jerusalem, 1962), 2: 264-313. All page references are to that text. Translations are my own.

Before we turn to examine his views, there are several preliminary points which should be noted:

a. Although his views about the soul, the body and the relation between the two emerge to some degree in the course of Naḥmanides' discussion, these views are clearly not what are driving his analysis. First and foremost, he is attempting to develop an account that incorporates as many talmudic and midrashic comments on reward and punishment as possible, both before and after the resurrection, into one coherent whole. It is rabbinic exegesis that drives his analysis. The contrast with Saʿadyah and Maimonides is vast.

b. As a result, his account gives substantially equal prominence to reward and punishment after death for disembodied souls (in what he calls *the world of the souls*) as to reward and punishment to resurrected embodied persons (in what he calls *the world to come*). Once more, the contrast with Saʿadyah and Maimonides, each of whom emphasizes one or the other, is vast.

c. A major goal of the work is to refute Maimonides' views (except when he can reinterpret them to fit his views). Evidence of the widespread acceptance of his approach is to be found in the standard printed texts of Maimonides' *Mishneh Torah.* All of the commentaries appearing in the standard printed editions follow Naḥmanides in reinterpreting Maimonides when they can and rejecting Maimonides' views when his views cannot be so reinterpreted. We will discuss this phenomenon below.

1. Summary of his views

It is helpful to begin our analysis by quoting two summary passages in the text:

> The reward for the souls and their survival in the *world of the souls* is called by the rabbis Gan Eden . . . and then will come the days of the messiah which are part of this world and at the end of those days will be the judgment and the resurrection of the dead which is a reward that includes both the body and the soul . . . and this is *the world to come* where the body dwells like the soul (p. 306).

> Those who deserve this punishment are judged in Gehinnom for twelve months according to what they deserve, and after their punishment . . . they reach a stage that is below the pleasure and rest of the righteous, a stage in which there is no punishment or pain as in the beginning, but not the pleasure of the righteous, and those whom the rabbis describe as crying and ascending reach a stage in which there is peace and pleasure

> but not like the righteous . . . but for the complete and serious sinners that are punished for generations, it is the wish of God that they be punished with pain . . . and there is no end to their suffering and pain (p. 288).

What we find in these two passages represents a sharp departure from what we have seen until now in the following ways:

a. Gehinnom and Gan Eden, which are the divisions of the world of the souls, become central to his framework, as they are where souls abide until the resurrection. This is not surprising since these occur again and again in the talmudic and midrashic literature. But this is in sharp contrast to Saʿadyah and Maimonides, who make little use of these concepts.

b. In contrast with Saʿadyah, major rewards and punishments begin directly after the death of the person, even before the resurrection. Contrary to Maimonides, the punishments are not merely the extinction of the soul. The souls, except for the righteous, undergo real pain and suffering, even if it usually is for a limited period of time.

c. Like Saʿadyah, Naḥmanides' conception of the world to come is a post-messianic world in which all the dead have been resurrected. So it is temporally separated from the messianic period which occurs in this world. This is in contrast to Maimonides, who agrees with that understanding of the messianic period, but insists that the world to come already exists, for it is where the *nefesh* of the righteous go when they die.

d. The resurrection of the dead is not one of the main topics in the *Shaʿar ha-Gemul*. Naḥmanides' main concerns are the suffering of good people (discussed as a commentary on the book of Job) and the existence of the world of souls in which people are rewarded or punished after their death but before the time of the resurrection of the body. But we do learn that the resurrection occurs after the messianic era (which is part of this world and not of the world to come, where the resurrection occurs). We also learn that although we are embodied in the world to come, the body "dwells like the soul." None of this is to suggest that Naḥmanides in any way denigrates the importance of the resurrection of the body; he just has other goals in the *Shaʿar ha-Gemul*.

e. Like Saʿadyah, Naḥmanides believes that the resurrected persons who exist in the world to come are embodied persons who do not engage in normal bodily activities. Both of them are in disagreement with Maimonides, whose resurrected embodied persons engage in

normal bodily activities but exist only in a disembodied fashion in the world to come. As we saw above, Maimonides had raised the question of the purpose of embodied existence if the bodies do not engage in bodily activities. For Saʿadyah, that is not a problem, because human activities require a body. But what is Naḥmanides' answer to this question? He claims (p. 305), without further explanation, that there are deep secrets in the form of the body and God does not want it destroyed.

2. Naḥmanides and Maimonides

a. Reinterpreting Maimonides.

Naḥmanides always had great respect for Maimonides, even when he was disagreeing with him. This pattern continues in the *Shaʿar ha-Gemul*. Naḥmanides was clearly troubled by the Maimonidean views on the afterlife, particularly on two points:

i. On the Maimonidean account, there seem to be only two fates for the *nefesh* at the time of death. It can be rewarded by going to the world to come or it can be punished by no longer existing. The latter is the Maimonidean interpretation of *karet*. But two obvious questions arise: (a) What about those who have committed sins which are not punishable by *karet*?[28] Is there no suffering in the afterlife for serial killers who first torture their victims, swindlers who steal billions from charities and/or from the poor, and the like? (b) Even among those who have sinned and deserve *karet*, is there no difference in their afterlife punishment depending upon the number of times they have sinned and the seriousness of their sins?

ii. On the Maimonidean account, the resurrection of the dead is only a temporary phenomenon, because the righteous dead are revived as embodied creatures who engage in a full set of bodily activities for an extended period of time but then return to the disembodied existence of the world to come. But this, says Naḥmanides, goes against the rabbinic tradition that life in the world to come is eternal.

On the first of these two issues, Naḥmanides developed an alternative explanation of the Maimonidean statements to bring Maimonides' position more directly in line with his own. On this reinterpretation, Maimonides agreed that after death, sinners are punished in Gehinnom with a duration and intensity appropriate to their sins, and then at

28. The *Mishnah* lists only thirty-six sins that deserve such a punishment (*Kereitot* 1:1).

least some of them go to Gan Eden. When Maimonides said that the souls of the wicked people who deserve *karet* are just destroyed, he was actually talking about what happened to these souls at the time of the resurrection, not about what happened to them at the time of death.

This reinterpretation does not do justice to the text as a whole. Maimonides is absolutely clear at the end of chapter eight of *Laws of Repentance* that the world to come about which he has been talking in the chapter begins immediately after the death of the person, and that some go to it and others go out of existence.

There are additional reasons to reject this reinterpretation. In his introduction to the chapter *Ḥelek*, Maimonides explicitly treats Gan Eden as a great garden on this earth whose location will eventually be revealed by God and is totally ambiguous as to how Gehinnom, as a place of punishment, fits into his picture. This does not fit with the Naḥmanidean reinterpretation. And there is no hint of any of this in his *Treatise on the Resurrection*.

Naḥmanides and those who followed him[29] had a textual argument to support their position. In *Laws of Repentance* (3:5), Maimonides said:

> All the sinners whose sins are greater {than their good deeds} are judged according to their sins but have a share in the world to come.

But, asks Naḥmanides, what room is there for their punishment if, as the literal interpretation of Maimonides reads, souls at death either go to the world to come or are completely destroyed? Surely, they must first be punished appropriately in Gehinnom before they go to the world to come or are destroyed. This textual argument is far from convincing. Maimonides could have thought that the souls which go to the world to come are not equally rewarded, and the sinners get less of a reward than the righteous. Notice that Maimonides says "judged" rather than "punished."

There is much less to be said about the second issue. Maimonides is actually committed to the view that life in the world to come is eternal; it just has a break in it for a bodily resurrection. We shall discuss issues related to this point below.

29. See especially the comments of *Haggahot Maimoniyyot* and *Kesef Mishneh* on *Laws of Repentance* 8:1. There is another passage in which he refers to Gehinnom in *Laws of the Foundation of the Torah* (5:4), but it is omitted from the Fraenkel edition because it is not found in most of the manuscripts.

b. The Issue of Karet.[30]

One of the main texts that Maimonides cited in support of his view about the extinction of some evil souls at the time of death, so there was no positive punishment, was a talmudic text in *Sanhedrin* (64b) and in *Shevu'ot* (13a). To quote Maimonides:

> This is the *karet* that is written in the Torah at it says: "Cut off, cut off shall be this soul for its sin is in it" (Num. 15:31), from which we learned that it will be cut off both in this world and the world to come. That is to say, that this *nefesh* which separates from the body in this world is not privileged to attain life in the world to come, but it is also cut off from the world to come.

How did Naḥmanides, who believed that all sinners are positively punished, interpret this text about being cut off from the world to come?

The most systematic account by Naḥmanides of *karet* is found in his commentary on Lev. 18:29. He distinguishes three types of *karet*: (1) the punishment due to a man who has committed one of those thirty-six sins, is unrepentant, but is otherwise a righteous person (literally, his good deeds outweigh his sins)—this person dies earlier than he normally would have, so he is cut off in this world, but he will receive the reward he deserves in the afterlife;[31] (2) the punishment due to a man who has committed one of those thirty-six sins, is unrepentant, and is in general a sinner—this person may not be punished in this life, but he will go to Gehinnom for twelve months and then his soul will be transformed so that it is no longer punished but receives no reward. Such a person is cut off from the rewards of the afterlife; (3) the punishment due to a man who has performed the most serious of sins[32] and is unrepentant—such a person will die early and will be punished in Gehinnom forever.

30. Isaac Abarbanel, in his commentary on the Torah (*Bemidbar* 15, response to question #7), offers a very full account of seven views about *karet*, illustrating, in his usual fashion, the difficulty of reconciling all the relevant texts. There are also the complex issues (1) about the relation between the thirty-six sins that deserve *karet* and the list of sinners who have, according to the *mishnah* in Sanhedrin and the accompanying talmudic text, no share in the world to come and (2) the relation between sins that deserve *karet* and sins that receive death at the hands of Heaven (*mitah bi-yedei Shamayim*). These issues lie beyond the scope of this essay.

31. Sa'adyah has little to say on this point. In IX: 9 (p. 351) he seems to treat *karet* as primarily a matter of this world, although he allows for *karet* in the world to come as well. Abarbanel (*Be-midbar* 15) shows that both Rashi and Tosafot, despite their differences in interpreting *karet*, also thought that *karet* was primarily a punishment in this world.

32. We leave aside the complex issue of which are these most serious sinners.

Because he dies early, he is cut off from this world. Because he never escapes Gehinnom, he is cut off from the world to come (at least, from its positive components). These are the sinners who receive double *karet*.

On this account, there is nobody who deserves to be punished whose soul is merely extinguished. They either are punished by dying early, or, at the time of their death, they enter the world of the souls and are punished according to the scheme just outlined.

c. How Many Fates?

In his account of *karet*, Naḥmanides seems to recognize at least four fates of the soul:

a. The unrepentant most serious sinner—eternal torment in Gehinnom.

b. The unrepentant committer of a grave sin (one which deserves *karet*) who is predominantly a sinner—twelve months in Gehinnom followed by neither reward nor punishment.

c. The unrepentant committer of a grave sin who is not predominantly a sinner—his life is cut short, but he receives the rewards he deserves postmortem.

d. Those who deserve no punishment—are immediately rewarded

But in the passage we quoted above from *Sha'ar ha-Gemul*, he seemed to have recognized still a fifth group (those who cry for a short period of time and then ascend and are rewarded somewhat). At the very beginning of *Sha'ar ha-Gemul* (p. 265), he explains that this refers to those who don't fulfill some positive commandments (like wearing *tefillin*)[33] but who are not predominantly sinners.

But in these matters, nothing is so simple. To understand Naḥmanides' point, and the debate which it occasioned, we need to refer to a crucial talmudic passage (*Rosh Hashanah* 16b-17a) which mentions those sinners who briefly cry and then ascend, but also introduces another category of sins, the sins of the body (failure to put on *tefillin* in the case of Jews, sexual sins in the case of non-Jews). How is all of this to be fit together?

In an attempt to further the Naḥmanidean program of reconciling all texts where possible, several of the major *rishonim* offer fuller

33. The talmudic passage upon which this is based (to be discussed below) mentions only *tefillin*, but Naḥmanides expands that to cover all positive commandments. At the same time, following Alfasi's version of the text, he narrows it to those who never observed the positive commandment.

accounts. Perhaps the most well known is that of Rosh who attempts (*ad loc.*) to incorporate all of the material in *Rosh Hashanah* 16b-17a into one integrated scheme of six categories:

- The righteous—immediately rewarded
- Those who are not predominantly sinners
  - are judged as righteous if they have not committed sins of the body.
  - If they have, they descend to Gehinnom, cry, and then ascend.
- Those who are predominantly sinners.
  - If they have not committed sins of the body, they descend to Gehinnom for twelve months and then ascend to receive their rewards.
  - If they have, they are punished for twelve months in Gehinnom and then they are neither rewarded nor punished.
  - Heretics and informers descend to Gehinnom and suffer there forever.

It is difficult to precisely compare the two lists, but the following comparative observations seem in order: (1) Naḥmanides is primarily trying to incorporate the issue of *karet* into his account, while Rosh is primarily trying to incorporate the issue of sin of the bodies; (2) their views on those who are not primarily sinners are very similar, except that Naḥmanides explains that *karet* for them is in this life; (3) the major difference has to do with the rewards of the people who are primarily sinners. Rosh believes that after twelve months of punishment, some of them (those who have not committed sins of the body) go to Gan Eden to receive rewards for their good deeds, but Naḥmanides makes no provision for this, insisting that all predominant sinners are never rewarded for their good deeds.

d. Naḥmanides' Philosophical Argument against Maimonides

In his account of *karet*, Naḥmanides offers an argument which precludes the Maimonidean theory that the souls of the sinners no longer exist. He is explaining why the Torah mentions *karet*, but does not mention the reward of eternal life for the righteous. According to this explanation, the Torah mentions what is unnatural (*karet*) but not what is natural (eternal life). The eternal life of the soul is natural because it is

not a composite entity which goes out of existence when its components separate; since this is really the only way to go out of existence, the soul cannot naturally do so.

This argument, of course, is not a new argument. Plato already offers such an argument (*Phaedo* 78b) and it has a long history. Its lengthy history does not, of course, guarantee its soundness. Why should one believe that a requirement of going out of existence (separation of components) developed to explain how material objects go out of existence should also be applied to souls which do not have components? Perhaps they go out of existence in some other way.

B. The Development of the Naḥmanidean Tradition

Naḥmanides, and those who followed him, were the ones who took seriously the talmudic discussion of twelve months punishment in Gehinnom followed by, at least in some cases, reward in Gan Eden. It is this, of course, that connects the Naḥmanidean tradition with the custom of mourners saying Kaddish for deceased parents during the year after they die. For the purpose of the mourners leading the services and saying that Kaddish is usually understood to be their lessening or eliminating the punishment in Gehinnom of their parents. All of this is based, as is well known, on the *midrash* about R. Akiva. There were some who opposed this whole idea, as pointed out by Solomon Freehof:

> The whole concept of the living helping the dead would have been strange to the philosophic minded Sephardim, or certainly to their intellectual leaders. Abraham b. Ḥiya (Barcelona, I2th Century) may have heard of this Ashkenazic custom. At all events, in his *Hegyon ha-Nefesh,* p. 32, he said, "So anyone who believes that after his death he can be benefited by the actions of his sons and their prayers for him, is harboring false ideas (i.e., self-delusion); for we do not find in the Torah any citation from which we can derive that any action of the living in this world can benefit the dead."[34]

But this type of intellectual opposition had little influence, and the custom spread through the Jewish world.[35]

34. Solomon Freehof, "Ceremonial Creativity among the Ashkenazim," *Jewish Quarterly Review* 57 (1967):214-15. Abraham b. Ḥiyya was a notable figure in the history of medieval mathematics, but *Hegyon ha-Nefesh* is a devout set of sermons concerning repentance and purity.

35. A detailed history of the acceptance of this custom, and of variations on it, would be highly desirable. The guess is supported by the research of David Golinkin." How Long Should a Child Recite the Mourner's Kaddish for a Parent?" http://www.

But a strange transformation of this custom occurred. I have yet to discover its exact origin; it is codified in the glosses of Rama (*Yoreh De'ah*: 376:4): "The custom is to say Kaddish and lead the prayers for only eleven months in order not to classify their fathers and mothers as sinners, for the judgment of the sinners is twelve months in *Gehinnom*." Given that this occurs in the midst of a discussion about many other matters related to saying Kaddish, where the sources are primarily those of central and eastern Europe in the fourteenth and fifteenth centuries, my guess is that this represents a custom which established itself at that time and then became more universally accepted.

A good contemporary formulation of this custom is found in the following internet rabbinic response:

> The Talmudic Sages teach that the maximum that a very wicked person is punished in the afterlife in *gehinnom* is 12 months. The public recitation of Kaddish shields the departed soul from this punishment. Hence, Kaddish is recited during the first year after a parent's passing. However, the custom is to recite Kaddish for 11 months only. Saying Kaddish the entire 12 months would give the impression that the deceased was a very wicked person who needs protection the entire 12 months. So, unless the parent specifically requested it, or unless it's known that the parent was a willful transgressor, Kaddish is said for only 11 months.[36]

Two interesting points [37] need to be noted about this custom: (1) The kabbalistic view of the Ari was that Kaddish also helped the deceased rise in their location in Gan Eden, and on that account, Kaddish should be said for all twelve months. *Keneset ha-Gedolah* agreed, but suggested that the mourner stop saying Kaddish one week before the end of the twelve months so that people not suspect that he is classifying his parents as a sinner; (2) If the mourner knows that the parent truly was a sinner who deserved twelve months of punishment in Gehinnom, then the mourner should say Kaddish for all twelve months. This latter point is incorporated into the just-cited rabbinic response.

This contemporary custom is, however, highly problematic for at least three reasons. To begin with, the relevant texts (the *mishnah* in

schechter.edu/responsa.aspx?ID=72. See also David Shayovitz, "'You Have Saved Me from the Judgment of Gehenna': The Origins of the Mourner's Kaddish in Medieval Ashkenaz," *AJS Review* 39,1 (2015): 49-73.

36. http://ohr.edu/ask_db/ask_main.php/236/Q3/.

37. These points are cited in the commentaries on that passage in 376:4.

Eduyot and the talmudic passage in *Rosh Hashanah*) do not mention this idea that twelve months in Gehinnom represents the maximum of the duration of punishment; they merely say that punishment in Gehinnom lasts for twelve months. Some might infer that this is what must be meant since some sinners clearly deserve more punishment than others. This is a poor inference: all sinners might be punished for the same duration but the suffering of some might be greater than the suffering of others. Secondly, there is no indication where eleven months came from. But thirdly, and most importantly, as soon as the mourner says Kaddish for a short time after the burial of the parent, the mourner has already proclaimed that the departed was predominantly a sinner; whether you adopt the view of Naḥmanides or the view of Rosh, unless the deceased was predominantly a sinner, the deceased descends to Gehinnom for a short period of time and then rises to Gan Eden. The only way out of this dilemma is to invoke the Ari's idea that leading the prayers and saying Kaddish is designed to elevate the soul of the departed in Gan Eden, but then mourners should continue to say Kaddish for all twelve months, or at least for 11 3/4 months.[38]

III. Reflections

There are those who think, contrary to the view of Maimonides quoted above, that there is in matters of philosophy, as well as in matters of Halakhah, a final *pesak* which indicates which views are normative in Judaism and which views may no longer be held.[39] If this is true, then some version of the Naḥmanidean approach is the norm. To begin with, it incorporates much more talmudic material than the

38. Chaim Binyamin Goldberg, *Mourning in Halachah* (Brooklyn, NY, 1991), 352, reports that this is what *Ketav Sofer* did when he was saying Kaddish for Ḥatam Sofer. My attention to the contemporary attraction of this idea was prompted by a remark in Leon Wieseltier's *Kaddish* (New York, 1998), 136, claiming that Ari was reported to hold that the view that Kaddish saved the dead from Gehinnom was a belief of the masses, while the refined view was that Kaddish raises the status of the dead in Gan Eden. This view also justifies the customs surrounding the yahrẓeit of one's parents, although another explanation will be offered shortly.

39. I assume that this is the point of Rabbi Bleich in *The Philosophical Quest* (Jerusalem, 2013) that " matters of belief are inherently matters of Halakhah" (12) and therefore that certain beliefs once held by recognized authorities are now no longer legitimate options (13). Cf. Marc B. Shapiro, "Is there a 'Pesak' for Jewish Thought?," in *Maḥashevet Yisrael ve-Emunat Yisrael, ed*. Daniel J. Lasker (Beersheva, 2012), English section, 119-40.

alternatives we have considered. More importantly, it is reflected in the traditional liturgy. More even than codes of law or books of religious thought, which may be accessible only to limited groups within a community, the regularly recited liturgy is accessible, and familiar, to most members (especially since it is usually available in translation), and plays a major role in shaping what is normative in both practice and belief. And the traditional liturgy, with its many references to Gan Eden and Gehinnom, clearly reflects the Naḥmanidean approach, since these ideas are minimized in the writing of Saʿadyah and Maimonides. The most prominent example of this is the recitation of the Yizkor prayers on the holidays, where the prayer is that the deceased find their resting place in Gan Eden. What is striking is the lack of any reference in those prayers to the resurrection of the dead. This is in sharp contrast to the Kaddish recited right after the burial of the deceased, where there is an explicit reference, but in Aramaic, to the resurrection of the dead, with no reference to Gan Eden. Tur (376:4) records from Naḥmanides an earlier burial tradition in which the resurrection of the dead was given even greater prominence. I will offer below a hypothesis about why the difference in emphasis between these prayers (and also why the *Amidah* mentions only the resurrection and not Gan Eden). For our purposes now, it is sufficient to note that the Naḥmanidean tradition is the tradition assumed in these regular prayers for the deceased. And it is those texts which shape the view of the afterlife championed by traditional Jews.

As an Orthodox Jew, I am committed to the tradition which preserves with equal importance the belief in Gan Eden/Gehinnom and the resurrection of an embodied person. I believe that our tradition has settled the question and that Gan Eden/Gehinnom and the Resurrection of the Dead are equally normative positions for Judaism. What I want to do is to reopen a philosophical discussion in which our predecessors engaged. My question is whether the views of Naḥmanides and Rosh are the only way to incorporate both normative positions. My troubles with such a fusion are both textual and philosophical.

The textual difficulty is straightforward: how can the Naḥmanidean tradition explain the passage in *Rosh Hashanah* which is the basis for Rosh's summary of human fates based on the Naḥmanidean approach? The passage is clearly talking about judgment after the resurrection of the dead, as is stated by both Rashi and Tosafot, since it is based upon the passage in Daniel, and yet it discusses judgments as to who goes to

Gehinnom for how long. If, as Naḥmanides says, Gehinnom begins right after death and long before the Resurrection, this makes no sense.[40]

There are also straightforward philosophical difficulties which I would formulate as follows: (1) *The double-header problem*: Why is there a need for two forms of reward and punishment (one which begins immediately or shortly after[41] one's death in a disembodied existence in Gehinnom and Gan Eden and the other in a embodied fashion after the resurrection of the dead)?[42] (2) *The return to the body problem:* What is the gain to the righteous dead from being resurrected to a bodily existence when they already exist in a spiritually superior disembodied afterlife?

These difficulties make the Maimonidean position on the resurrection particularly problematic. On his account, the souls of the righteous are already receiving their highest rewards in *olam ha-ba* after their death. What is the additional reward of being resurrected? Moreover, it seems like a punishment, rather than a reward, to resurrect them into a truly bodily existence for some period of time before they die and go back to their true reward. Saʿadyah, on the other hand, did not face either of these problems. Leaving aside a few anomalous passages discussed above, there really was for him only the reward or punishment at the time of the resurrection and it had to be experienced by an embodied person because only such a person can experience thoughts, feelings, and so on. But how can the Naḥmanidean tradition deal with these issues? First, there is the point stressed by Maimonides that talking about a body that is not engaged in bodily activities is foolish; why is it a body? Secondly, why is there a need for a resurrection in an embodied fashion, if the body in that resurrection is living like a soul? The most we get is the claim that there is a metaphysical importance to the body, but we get no clear account of what that might mean. None of these points is intended as a decisive critique. How could any be, if we don't know what is the metaphysical significance postulated by Naḥmanides? But the points are certainly enough to make us wonder.

40. A question related to this, about why there is a need for two judgments, one for disembodied existence and one for resurrected existence, is asked by Tosafot, *Rosh Hashanah* 16b, s. v. *le-ha-yom*.

41. This depends upon one's beliefs about the "pangs of the grave."

42. In raising this question, I am assuming that there is no need to punish the body for its sins, a suggestion that has often been advanced. It is persons who sin, not bodies, even if the person acts by means of the body, so there is no point to punishing the body.

There is an even deeper philosophical question to put on the table. As we saw above, the activities of the person (for Saʿadyah) and for the *neshamah* (for Maimonides) require a body to be performed. These activities include psychological activities. It is only Maimonides' *nefesh* and the whole Naḥmanidean view of the *olam ha-neshamot* which introduces a substance dualism. I would like to see if the views of Orthodoxy can be developed without such a dualism.

So let me turn to a modified account which I have been developing and which I find attractive, although not without its own issues. This account is based upon Saʿadyah's basic thoughts about the human person, but it preserves, following Naḥmanides, an equal commitment to both a belief in the resurrection of the dead and a belief in Gehinnom and Gan Eden. It totally avoids both the double header problem and the return to the body problem and it resolves the textual issues raised by the passage in *Rosh Hashanah.* It does all of this by adding some additional thoughts from Maimonides, Rosh and Ḥasdai Crescas.

The account can be summarized in five basic points:

1. As Saʿadyah said, the activities of a human being, even the psychological activities, require that the human being be embodied.

2. If then we are to live and act again after we die, we must be embodied. This is why the return to the body as a physically functioning body is necessary. But there is no reason why the body we then inhabit is the same body that we originally lived in. What is important is that the person be resurrected in a body, not that the old body be resurrected.[43]

3. The categories of reward and punishment presented by Rosh as a summary of the passage in *Rosh Hashanah*, are maintained as is, but they describe the different fates of the person once resurrected, which is what Gehinnom and Gan Eden are about, not their fates immediately after their death.

43. This was an important realization put forward by Ḥasdai Crescas. See the passage from Crescas in Bleich, *With Perfect Faith*, 675-76. See also his discussion there of the issue of personal identity, a discussion I hope to elaborate upon in a purely philosophical article.

This difference is one of the crucial ones between my position and Saʿadyah's. Another is that, following Rosh, I maintain a whole schedule of punishments of differing extents depending upon the whole record of the sinners, where Saʿadyah does not.

4. While part of the reward of the resurrected human being is the vision of the Divine which all of our authors stress, there are also bodily rewards of a refined type, so the resurrected person is truly an embodied person. This captures Maimonides' view about the resurrection and Saʿadyah's view about the first resurrection.

5. In the Kaddish at the cemetery, when we are trying to console the mourners, the emphasis is on the fact that the departed will live again. On a daily basis, we praise God for that promised resurrection. But at Yizkor and on yahrẓeits, when we pray for the dead (leaving aside the qualms expressed by Abraham b. Ḥiyya), we are not praying for their resurrection, which is assured unless they are the sinners who have no share in the world to come, but for their being in Gan Eden when they are resurrected. These prayers are therefore given meaning without having to invoke Kabalistic conceptions of souls ascending from one level of Gan Eden to some higher level.

If one reflects upon these claims,[44] one can see that they have much in common with the views of Naḥmanides in stressing both Gan Eden/Gehinnom and the resurrection, but there are three crucial differences:

- There is no *olam ha-neshamot* which contains Gan Eden and Gehinnom and in which souls reside until the Resurrection. Gan Eden and Gehinnom are parts of the world to come after the Resurrection;
- The bodies in which people are resurrected are not their original bodies (who would want those blemished ones?), but are new bodies associated with the same person;
- These embodied persons, when they are rewarded, engage both in a vision of the Divine and in normal bodily activities which give them pleasure and which are part of their reward.

This summary leaves open one crucial question and one associated issue about the liturgy. What is the fate of the person between their death and the resurrection? And what is the purpose of the mourner's recital of Kaddish and other prayers during the year after the person's death? These are two separate questions. After all, Saʿadyah faced the former but not the latter, since it is unlikely that

44. See the table in the appendix to this paper to help clarify these relations.

the practice of the mourners saying Kaddish was part of the liturgy in his days.

On the first ontological question, there are two possibilities that need to be considered. One is a more traditional position developed by Saʿadyah that although persons can act only as embodied creatures, and are really rewarded and punished only after the Resurrection, there is a component of the person that is immaterial and survives "under the wings of the *Sheḥinah*" until the time of the resurrection. This position leaves the ontology of this component of the person unclear, in a way similar to the unclarity of the view of the survival of the Active Intellect in medieval Jewish philosophy. The second is the position recently explored by some contemporary philosophers that the person's existence is "gappy."[45] Persons exist before they die and exist again after they are resurrected in a different body, but do not exist between those times. The persons in question are not, of course, aware of this gappiness; their awareness is of their dying and then of their resurrection. So we can leave as open both dualist metaphysics of the person and an emergentist gappy metaphysics of the person.

But what about the mourner's Kaddish and other liturgical practices associated with mourning? I would make the following observations:

- We need to always keep in mind that these practices, while so pervasive in Jewish life (they are often the only reason why a daily minyan can be maintained in many smaller communities), are based only upon a modest midrashic source.
- As I have argued above, they are highly problematic in light of the opinions of the *rishonim* about punishment in Gehinnom, unless we assume that most Jews who die were predominantly sinners.
- Ari described the common views of the purpose of these practices (to alleviate suffering in Gehinnom) as the views of the vulgar, and offered an alternative account.
- There is still another alternative which I prefer and which I believe fits in better with the text of, and with the experience of many reciting, Kaddish. As has been noted so many times, the Kaddish we normally recite in shul says nothing about death (though the version recited at the cemetery and at a

45. See http://www.iep.utm.edu/resurrec/ for a discussion of a variety of views of this sort.
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siyyum does). It glorifies Hashem's kingship and prays for His bringing peace in this world. For mourners, but not necessarily only for them, this means among other things peace from the suffering and loss they feel and peace in the belief that they will ultimately be reunited with their loved ones at the time of the Resurrection.

What do all these reflections mean? As I claimed in the beginning of this paper, belief in postmortem reward and punishment is essential for any theistic belief in a just deity. In Judaism, the central component of that belief is a belief in the resurrection of the dead, a belief in the reembodied existence of the deceased. That is why we praise God in our daily prayers for doing that in the future. This resurrection is the central reward for the righteous, and Maimonides' account of it fails just because it makes the resurrection a mere interlude in eternal disembodied existence. Sa'adyah is in a stronger position on this issue, since he emphasizes reward and punishment taking place after the resurrection. His views about the essentially embodied nature of human action, even psychological action, help us see why this must be so. But he, like Maimonides, fails to properly incorporate into his system the beliefs in Gehinnom and Gan Eden, which are so common in talmudic and midrashic sources. Naḥmanides' great contribution was to synthesize all of these beliefs into a single system. But it faced its own problems, both philosophical and textual. Moreover, it required a form of dualism which may be problematic, primarily because it misses Sa'adyah's realization that human agency requires human embodiment. So I offered an alternative, one which sees punishment in Gehinnom and reward in Gan Eden as occurring after the resurrection and one which incorporates Maimonides' insight that bodily resurrection is pointless without bodily activities and bodily pleasures. This alternative provides, I believe, a good understanding of liturgical practice. I am offering this alternative as a starting point for further reflection, rather than as a definite proposal, and I hope that this article will help stimulate that further reflection.

APPENDIX

The chart on the following two pages summarizes the positions and arguments discussed in this paper.

	Immediately after death	*Between death and resurrection*	*Resurrection of the dead*	*Problem Areas*
SA'ADYAH	Soul separates from body, sometimes suffering varying pangs of the grave	Souls are stored. (?? Different storage places)—no reward or punishment	Two resurrections—the first is for Jews only, and those who merit it live a fully embodied life; the second, which is the world to come, is for all, and those who merit it are living a spiritual embodied existence while others are punished.	(1) status of disembodied soul; (2) lack of attention to important talmudic passages about Gehinnom and Gan Eden.
MAIMONIDES	Sinners no longer exist—righteous souls enter into the world to come (purely disembodied state).	continuation	Sometime before, during, or after the messianic era, a fully embodied life ending in a return to the world to come. However, the resurrected die again, so the embodied state is not ultimate.	(1) lack of punishment for those who have sinned but don't deserve to go out of existence; (2) unclear purpose of resurrection of the dead; (3) lack of attention to important talmudic passages about Gehinnom and Gan Eden.
NAḤMANIDEAN TRADITION	Separation of soul, which goes to the world of the souls, from the body.	World of the souls—punishment for various levels of sin; then, with the exception of the most serious sinners, reward of various degrees or at least no further punishment. Rosh provides the most systematic analysis—all this relates to Gehinnom and Gan Eden.	This is the world to come. Spiritual embodied life for all who deserve to be rewarded.	(1) no real explanation of why a return to the body; (2) does not clearly fit with text in *Rosh Hashanah.*

	Immediately after death	Between death and resurrection	Resurrection of the dead	Problem Areas
VARIANT VIEW TO BE CONSIDERED	Embodied person goes out of existence.	Either souls are stored (as Sa'adyah says) or they don't exist. (gappy view)—no reward or punishment	*This is the world to come:* A fully embodied life consisting of punishment for various levels of sin; then, with the exception of the most serious sinners, reward (including physical pleasures as well as knowledge of the divine) of various degrees or at least no further punishment. Rosh provides the most systematic analysis—all this relates to Gehinnom and Gan Eden.	(1) uncertainty of status between death and resurrection; (2) good on some liturgical practices but weak on others (this weakness shared with other views).

ELIEZER FINKELMAN

A Meditation on Petitionary Prayer and Natural Yearning

Aim for a certain sweet spot, just to the side of the head pin; if the ball rolls into that spot, the pocket, all the pins will probably fall. Every bowler wants to hit the pocket reliably, frame after frame, round after round. To succeed, bowlers practice their footwork, their balance, their grip on the ball, their smooth release. Improving these skills, perfecting each step of the process, making the process reliable and repeatable, makes one a better bowler. After releasing the ball, the bowler tilts his or her head to an angle at which the ball seems headed for the pocket. Perfecting that tilt of the head can have no conceivable influence on whether the ball enters the pocket or not, but just about every bowler repeats that process on just about every roll, in my experience. Something compelling makes us want to watch the ball head for the pocket, even if we have to move pretty far to maintain the illusion that the ball is heading for the pocket.

I think just about every bowler also wills the ball into the pocket, wishing it into the right path as it rolls. We do not necessarily believe that our will can direct the ball, but, again and again, we do will it into the correct path.

In the same way, we will dangers away from ourselves. The soldier hears the bomb descending, and wills it away from himself. He may be an atheist, yes, even in the foxhole, and believe that no force on earth

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or in heaven will deflect the bomb from its course. The atheist does not violate his beliefs and pray, but I think he might wish the bomb to miss him without violating his beliefs. That wish, I think, might just be a quirk of the human mind.

Thus we hope, wish and yearn when we want to influence future events, even if we have no theory for how hoping, wishing, and yearning can change the otherwise destined future, and no belief that they can.

But we cannot always pray just because we can hope, wish, and yearn. Someone returning home after a hard day at work, heading for his own neighborhood, hears the siren of an ambulance, and wonders, with some dread, whether the siren comes from before his own house. He probably wishes, or wills, the ambulance to have stopped at some other house. The Mishnah tells him not to pray. It would amount to a *tefillat shav*, vain prayer (*Berakhot* 9:3).[1] The emergency has already happened at one house or another; too late, now, to pray for it to have happened somewhere else. But he or she may not be able to avoid hoping, wishing, or willing. We do this yearning even for events already occurring; the yearning feels somewhat reasonable only because we have not yet discovered where the ambulance has stopped. More striking still is that we even yearn in vain for past events not to have happened. Moshe Halbertal, in an essay called "The Limits of Prayer," mocks himself for rooting for his favorite basketball team as he watches a tape of a game that they have already played.[2]

A theater-goer experiences another astonishing example of wishing against all probability of having the wish granted. I look around during curtain calls after a particularly moving presentation of Shakespeare's *Romeo and Juliet,* and realize that other members of the audience also are crying. Why are we crying? Because, during the play, we will for the story to come out right; we want, hope, yearn, to see the young couple

1. Gerald J. Blidstein, in his article, "The Limits of Prayer," *Judaism* 15,2 (Spring 1966): 164-70 (reprinted in *Yavneh Studies 3: Prayer*, ed. David Derovan [New York, 1970], 41-50), collects rabbinic teachings that seem to disagree with the *mishnah* prohibiting prayers to change the past, though I think these teachings may only take small issue with specific examples.

2. Moshe Halbertal, "The Limits of Prayer," *The Jewish Review of Books* 2 (Summer 2010): 43-44. One of the anonymous referees for this journal asked me to explain why, if I maintain that petitionary prayer expresses our yearning, rather than our expectations to change the future, we should not pray to change past events. True, the past events will not change, but we still feel the yearning. It seems to me that at some point accepting reality should have a higher priority on our table of needs than expressing our futile wishes; so Moshe Halbertal explains this *mishnah* in his essay.

escape their fate, to see Juliet and Romeo happily living together at the end. Please, please, we wish, this time let Juliet awaken in time to warn Romeo not to drink the poison. She does not. Both lovers die, as we knew they would, and we feel bitterly disappointed that the young couple, once again, just as they have every other time we have seen this play—end up dead, just the way Shakespeare wrote it. Their deaths cannot surprise us, but do disappoint us.[3]

Although praying may sometimes be inadmissible when wishing, hoping, and yearning are fine, I propose that petitionary prayer constitutes a subset of the category of wishing or yearning. This thesis invites a variety of questions: How does praying differ from other ways of affecting events? To what or whom can prayer be addressed? How does praying differ from asking? Are some prayers immoral? Must prayer get restricted to significant needs? Does the text of prayer really express yearning? Must the pray-er believe in the efficacy of prayer? Does solitary prayer differ significantly from prayer in a group with respect to my analysis? How does this conception of prayer compare with other analyses?

Prayer: Addressed Yearning

Prayer, it seems to me, consists of addressed yearning. Prayers get addressed; wishes just exist. As a first approximation of this difference: If we believe in an entity that may receive our wishes, we easily translate our wishes into prayers; if we do not believe in such an entity, we probably do not want to do this translation.

But addressed to whom?

Atheists, pagans, theurgists, naïve believers, and philosophical believers each face different challenges in finding an address for their yearning.[4] An atheist generally does not consider prayer desirable, or

3. A few days after I wrote the paragraph about how I feel during *Romeo and Juliet*, the *New York Times* style magazine *T* (Oct. 19, 2014) found a writer to second my emotion. The editors "asked 15 renowned contemporary writers how, given a chance, they would alter the endings of classic books." Novelist R. L. Stine replied "'Romeo and Juliet' kills me every time I see it. I would have them rescue each other, get married, and go off on a honeymoon to a four-star hotel on the Grand Canal in Venice." I do not assume that Stine judges his revised ending as improving the play; only that, during the play, he wishes for it to end happily.

4. My teacher, R. Joseph Soloveitchik, observes that "prayer is a vital necessity for the religious person." See "*Rayonot al Ha-Tefillah*," *HaDarom* 47 (1978): 74 (my translation). The essay is translated in full as "Reflections on the Amidah," in Rabbi Joseph B. Soloveitchik, *Worship of the Heart: Essays on Jewish Prayer*, ed. Shalom Carmy (New

even coherent.[5] For the atheist, none of the concatenation of forces which play out in our world add up to anything that can be addressed.

The pagan, by contrast, may pray. He believes in a world governed by numerous forces, some unconscious but many conscious; he addresses his prayer to one of the forces, thinking that it might pay attention to his needs, and that it, though in conflict with other powers, might have enough power to help him.

The theurgist—in my view, a kind of magician—might address his will to one of those same forces. Like the pagan, the theurgist believes in chaotic forces. Unlike the pagan, the theurgist believes that someone who understands the forces well enough can gain control of them by precisely performed rituals, and can force the right results. It is a kind of magic, or if you will, a kind of technology. Alas, we do not master the rituals well enough to get a reliable result. But in any event, the magician does not pray; the magician performs rites.[6]

Religious monotheists of all varieties make a dramatic claim: All the forces cohere and indicate one entity.[7] Whatever we do not know

York and Jersey City, NJ, 2003), 144-82.

5. For the atheist, I think, everything happens by accident. The forces of erosion shape the rock into the face of an old man, as we see it, and then they wear away that distinctive feature, but without intending anything, and without conveying any useful information. We have imposed the meaning on a blank geological event. Even if we accept the existentialist claim that human beings can impose meaning on the indifferent universe, "It is a tale told by an idiot, filled with sound and fury, and signifying nothing." Newton observed that the elliptical orbits of the planets and the effects of gravitation on earth follow the same rule; that just amounts to a pattern in the accidents, an elegant, beautiful pattern, one that ties together many events, but still just accident. We did not impose this order; Newton discovered it.

Believers, even philosophically sophisticated believers like Newton himself, somehow maintain that the universe, with its place for us humans, does not consist only of random forces, but is the product of God.

6. As a baseball fan, I indulged in the style of thinking that I call magic. As I watched a game on television, or listened to it on radio, I sat in the living room, where the straw summer carpet featured a pattern of squares. Before each pitch to one of my favorite players, I dutifully touched the corners of one square, like a baseball player touching the four bases after a home run. I did not have a theory to explain why touching the corners of the straw carpet would help the player; but I still performed the propitious act. This must have been the summer of 1959—the first season that Hector Lopez played for the New York Yankees; that player, as I remember, benefitted from my magical assistance. I was then ten years old. I do not think I was the only fan who relied on magical rituals; players, notoriously, also engage in magical rituals to improve their games. Do I need to mention that these techniques do not work?

7. A reader strongly suggested that I clarify this phrase, "indicate one entity," with the words "that stands behind reality" or, more traditionally, "that stands above reality." While I cheerfully use either spatial metaphor, I object to requiring a spatial metaphor.

about that entity, we know that we can relate to it as to a person, a loving parent or a stern ruler. When we express our prayers, our requests, to that benevolent personage, I mean, God, philosophers and other believers address a person-like entity.[8]

Does Praying Differ from Asking?

I am not permitted to address a petitionary prayer to anything but God.[9] This prohibition does not limit my permission to ask people for what I want. Even Rambam, who aggressively polices inappropriate prayers (*Hilkhot Tefillah* 2:1) would allow me to ask the waiter to "please bring me a nice dry red wine to go with dinner." I could even ask my dog to bring my slippers without offending Rambam. With anticipated improvements in robotics and voice recognition, I may someday soon ask a machine to bring my glass of wine, again without offending Rambam. Somehow, I may pray to God for assistance, and I may ask other entities for natural assistance, but I may not ask an animal for supernatural help, nor may I ask a supernatural being other than God for help.

It bothers me that I have introduced the word "supernatural" into this meditation on petitionary prayer. I usually treat that word with suspicion: I do not know how to define it. In this situation, I used the word to indicate the solution to a problem that I do not think I have solved yet, viz.: the difference between "praying to" and "asking of."

Let me start with concrete examples, and then try to formulate the theory:

There is nothing wrong with asking a person for assistance. I may appropriately ask the waiter for a glass of wine, or ask the waiter's forgiveness if I have broken a glass, or changed my order for dinner. If I

If we require the metaphor, we move it from metaphor to statement. We should not try to identify the spatial location of an incorporeal God. "His servants ask one another, 'where is the place of His glory?'"

8. Julius Guttman puts it concisely: "It is only possible to pray to a personal God . . . ." See Guttmann, "The Religious Motives in Maimonides' Philosophy," cited in Ehud Benor, *Worship of the Heart* (Albany, NY, 1995):8, and originally published as "Die religiosen Motive in der Philosophie des Maimonides," Leipzig, 1908 (later published in Hebrew).

9. The ancient rabbis prohibited slaughtering an animal—probably as a sacrifice—to any but to God alone (*Tosefta Ḥullin* 2:18, Talmud *Ḥullin* 40a). In the same vein, they warn against praying to angels (*Jerusalem Talmud*, *Ḥullin* 9:1). Rambam lists as fifth among the thirteen essentials of Judaism a prohibition on praying to any but to God.

ask the waiter to absolve all my sins, or to bring redemption to the house of Israel, I have gone too far.

I may appropriately ask my dog if she wants to go for a walk, or to bring my slippers. I may even ask my dog for forgiveness, if I have accidentally stepped on her tail. If, however, I ask my dog to absolve the sins of all Israel, or to bring redemption, I have gone too far.

I may appropriately ask a robot to do whatever the robot can do; if I ask the robot to absolve the sins of all Israel, etc., I have gone too far. That would amount to praying to the robot.

I may ask God to absolve all my sins, or to bring redemption to the house of Israel. That seems like prayer.

So far, so good.

What about asking an angel for help? May I ask the angel to bring me a glass of wine? Does that resemble asking a human for what the human can do, or does that resemble prayer? What about asking the angel to plead my case before God? This has raised controversy in Jewish history, often focused on whether or not we should recite prayers asking for angels to intercede and bring our prayers to God, such as the penitential prayer *Makhnisei Raḥamim*.[10] It seems clear to me that we must not pray directly to angels for absolution or redemption.[11]

What about asking my ancestors? Does Jewish law forbid asking the ancestor for wine or slippers? I do not know for sure, but it feels both futile and forbidden to me. I may appropriately ask a dead person for forgiveness (at least, according to Talmud *Yoma* 86a, cited in Rambam, *Teshuvah* 2:11). What about asking my deceased ancestors to plead my case before God? A familiar Yiddish phrase depends on their having that role, referring to the deceased as a "*gebeter*" (Hebrew equivalent: *meliẓ tov* or *meliẓ yosher*), but perhaps we should not ever invoke that phrase. Presumably, asking my ancestors to forgive all my sins and bring redemption to the house of Israel would amount to forbidden ancestor worship.

10. A discussion of this controversy appears in Shlomo Brody, "Theological Truths vs. Spiritual Vibes: *Nigunim*, Heresy, and *Machnisei Rachamim,*" in *Text and Texture,* a blog of Jewish thought of the Journal of the Rabbinical Council of America, *Tradition.* http://text.rcarabbis.org/theological-truths-vs-spiritual-vibes-nigunim-heresy-and-machnisei-rachamim/

11. See, however, Marc Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (Oxford and Portland, OR, 2004), chap. 5, where Shapiro provides a list of Jewish thinkers who endorse prayers for the intercession of ancestors, deceased saints, or angels.

Our tradition considers asking an idol among the worst offenses. Norbert Samuelson, in his effort to define idolatry, accurately asserts that: "In the case of prayer, worship is idolatrous when worshippers entreat of the object what ought only to be entreated of the God of Israel." The key error of the idolater amounts to "treating the object of worship as something of ultimate value." This definition applies "no matter who or what that object may be."[12]

According to Samuelson's definition, which I accept, every petitionary prayer, no matter how pure, has a touch of idolatry, since every believing Jew (or Muslim, or other pure monotheist) directs her prayers at God as she conceives of God. In other words, we direct our prayers at the best conception of God that we can manage, which also means, at a somewhat inadequate representation of the infinite. Nonetheless, our tradition values prayer, though prayer always falls short. Samuelson calls this approaching God as an "asymptote" (252), since we can imagine a long curve from abjectly inappropriate conceptions of God to increasingly appropriate conceptions; we can approach closer and closer to an appropriate conception, but we cannot ever achieve the target.

To sum up with a chart:[13]

Entity	*Request for Object*	*For Specific Forgiveness*	*For Intercession before God*	*For Ultimate Redemption*
Animal	Yes	Yes	No	No
Robot	Yes	??	No	No
Human	Yes	Yes	Probably yes	No
Angel	??	??	Disputed	No
Idol	No	No	No	No
God	Yes	Yes	N/A	Yes

Now I can formulate my question: how does prayer differ from mere asking?

12. See Norbert M. Samuelson, "The Concept of Worship in Judaism," in *A People Apart: Chosenness and Ritual in Jewish Philosophical Thought*, ed. Daniel Frank (Albany, NY, 1993), 245-61 (248 in the case of prayer, 253, in the case of the thought of success).

13. Note that some of these items seem comically ineffective. For example, it seems silly to contemplate asking my dog to help fill out my income tax forms or solve the crossword puzzle. Asking an idol seems just as ineffective, but not as comic. Asking God for help on some serious matter strikes me as profound and meaningful, though I do not insist that it will turn out to be effective.

A tentative theory: if the entity can fulfill my request without resorting to supernatural action, then I may appropriately ask. If I want supernatural action, then my asking amounts to praying, and I may pray only to God. In short, prayer differs from asking because prayer must be directed to a supernatural being. Only I do not feel confident that I know what "supernatural" means.

The Prayers of Naïve and Sophisticated Believers

The Bible has literally hundreds of passages in which people address their wishes and needs to God, who often responds positively. Even if God does not respond positively, Job can say, "Though he slay me, I will trust in him" (13:15). The untroubled religious monotheist, immune to or ignorant of philosophic concerns, and faithful to the simple reading of biblical texts, can pray, easily and sincerely. Some believers strive to achieve this naïve faith.[14]

But even a more sophisticated or philosophical religious monotheist also speaks to God as if he were speaking to a powerful human. Relying on the Bible validates this strategy, since the Bible endlessly describes this One, who cares about humans, rescues the poor, defends the orphan and the widow, and answers our prayers. Many sophisticated believers say that addressing God in this way forms a kind of extended metaphor. Just as the naïve believer takes physical characteristics as metaphors, many philosophic believers take divine emotions, attributes, and maybe even response to prayer, as metaphors. To speak to God as to a being in heaven, far above us, who cares for us and answers our prayers, means to use a simile.

A simile for what? Coleridge observed that "no simile runs on all four legs"[15]—that is, simile does not produce an accurate or adequate description. Can other methods of description achieve the desired

14. An early reader objected to the word "naïve," preferring to use the Hebrew word for one who accepts the direct meaning of a text, the *peshat*. I do not mean to disparage the naïve believer. Schiller, in his essay "Naïve and Sentimental Poetry," contrasts the naïve poet with the studied "sentimental" poet, and sees many advantages to the naïve approach, unmediated by analysis. Some sophisticated religious thinkers prefer simple belief; see the discussion of prayer in the thought of Rav Naḥman of Breslov below. My teacher Yehuda Gellman wrote a moving essay preferring naïve to sophisticated penitence ("Teshuvah and Authenticity," *Tradition* 20,3 [Fall 1982]: 249-53).

15. *On the Constitution of the Church and State According to the Idea of Each* (London, 1830).

precision? Perhaps not. Robert Crease and Alfred Goldhaber consider imprecision typical of figurative language in general: "Metaphors are valuable when our experiences are enigmatic or difficult to capture, when existing words don't fit the situation at hand. Even the incorrect use of technical terms can meaningfully express what we intuit but cannot otherwise say."[16] Gershom Scholem allows that we could replace some figurative language with precise description, but insists that, in describing mystical experience, we necessarily end in imprecise metaphoric language. Similarly, I think, in our mode of addressing God, a philosophically sophisticated believer may accept as valid what he cannot explain with precision.[17] He may think of petitionary prayer as a kind of imperfect symbol.

Prayer as Analogy

Believers assert that the apparent cacophony of chaotic forces that operate on our world does cohere and indicate one entity. We believe it meaningful to address that One as if we were speaking to a powerful human. Like the atheist, rationalists like Rambam deny the existence of a compassionate God in heaven who judges humans and yet loves his creatures—denies, I mean, as long as we insist on taking those terms as referring to God's actual inner life. When we understand these terms differently, as referring to God's actions, the events of this world—Rambam's solution—we thus make a metaphor of those terms, and a rationalist could assent.[18] Critics, beginning with Gersonides, have raised objections to

16. Robert P. Crease and Alfred Scharff Goldhaber, "So You're Not a Physicist . . ." *New York Times* (Sept. 28, 2014).

17. Yoel Finkelman led me to Gershom Scholem's distinction between symbol and allegory. An allegory represents "an expressible something by another expressible something." In contrast, "The mystical symbol is an expressible representation of something which lies beyond the sphere of expression and communication." See *Major Trends in Jewish Mysticism* (New York, 1941), 26-27. Yoel (my son) pointed out that Scholem finds this sort of symbol in the thought of mystics, and I see it in the thought of philosophers.

18. See *The Guide of the Perplexed* 1:43.

In a review of Ezra Bick, *In His Mercy, Understanding the Thirteen Midot,* Aaron Segal takes R. Bick to mean that "there is no obstacle" to making some statements, such as "God created the world," meaning them "strictly and literally." Other statements must appear in "loose and figurative language." To these other statements, R. Bick appends the rabbinic disclaimer, "*kivyakhol*" = "as if it were possible to say such a thing." See Segal, "A Religiously Sensitive Jewish Philosophical Theology," *Torah u-Madda Journal* 16 (2012-13): 194.

Rambam's approach to the attributes of God;[19] nonetheless, the sophisticated believer's petitionary prayer remains a kind of analogy.

Somehow, in the billions of years since the creation of the universe, conditions on a medium-sized planet orbiting a somewhat larger than average size star in a somewhat typical galaxy proved right for the existence of humans. We inhabit that planet, where we can meet all our needs. By accident or design, we live, breathe, eat, love, procreate, think, dream, imagine, thrive, age, wish, want, will some outcomes and dread others. The believer somehow reacts to that remarkable circumstance with gratitude[20] for the past, and believers turn yearning for the future into prayer. If we feel justified in humble gratitude for the past, which ascribes the boon we have received to God, we can perhaps feel privileged to pray for the future boon from God.

A slippery thought this is, constructing a prayer of gratitude to this One, and then using some of the language of the naïve believer, because we do not have better language, and that language somehow is analogous to what we really do mean to say. When we pray, we call on God as a being, as if we were calling on a person, and we know that as an analogy; we could replace the analogy with a more direct word describing the way we should address God, but we would have limited ability to define that word.

I see my enterprise as more limited than Segal's. I consider our petitionary prayers as figurative language, but I do not consider whether other theological discourse could qualify as literally and strictly true. Though it goes beyond the scope of this essay, I wonder how Segal would respond to persistent and detailed questions about what he means by the "literal" process of creation. What follows from asserting that the claim is literally true? In talmudic terminology, *lemai nafka mina*?

19. See Gersonides, *The Wars of the Lord*, trans. Seymour Feldman, vol. 2 (Philadelphia, 1987), 110 [3:3].

20. Can the atheist feel gratitude towards the unthinking, random concatenation of forces that accidentally have provided her needs? Yes, but perhaps the atheist would feel embarrassed by that gratitude. In a conversation with my late teacher, R. Eliezer Cohen, I suggested that the only difference between the sophisticated believer and the atheist might consist of the believer's comfort with the feeling of gratitude, and he replied that that difference might be sufficient.

However, the Greek philosopher Democritus maintained that everything in the universe consists of atoms moving in the void. Nevertheless, he found room for cheerful gratitude. Lee Billings writes, "We should be universally cheerful, Democritus believed, at our fortune to exist in a welcoming world with so many pleasures. His constant mirth at humanity's tragicomic existence led his contemporaries to call him 'the laughing philosopher'" (*Five Billion Years of Solitude* [New York, 2013], 79).

How Would a Sophisticated Believer Address God in a Literally Accurate Way?

Rambam actually hints at an answer, in describing the taken-for-granted place of petitionary prayer in the religions of his day. He says that his contemporaries would find it baffling if "a prophet in these times who, calling upon the people to worship God, would say, 'God has given you a Law forbidding you to pray to Him, to fast, to call on Him for help in misfortune. Your worship should consist solely in meditation without any works at all.'"[21] Though the prophet's contemporaries would find him perhaps even scandalous, Rambam, I think, would welcome the prophet's bringing that message to an audience sophisticated enough to receive it. I intend to return later in this essay to what thoughts Rambam's prophet would have us think in place of prayer.

Trivial Prayer?

Not all wishes deserve to get converted into prayer. Some wishes may lack the gravity for prayer. I ought to win a game or lose it without invoking my deepest needs. I return to an example from sports fandom to illustrate this point:

In the closing seconds of the 1990 Superbowl game, the New York Giants held a one point lead over the Buffalo Bills. The Bills lined up for a field goal attempt, which would have given them a two-point victory. In the tense moments before the kick, television cameras caught several members of the Giants team, apparently at prayer, I supposed, praying that the Buffalo kicker would miss. It seemed not inappropriate for the players to pray, having bent their every effort to winning the game. As a fan, I could not contribute a prayer; I had watched an exciting football game, a nearly perfect game, and had received all I could want from the entertainment. The other team had come so close, and did not deserve to lose either.[22] It did not feel like a good moment for my prayers, although

21. Maimonides, *Guide of the Perplexed,* trans. Shlomo Pines (Chicago, 1963) 3:32, p. 526.

22. An anonymous referee of this paper wondered why I thought it inappropriate, rather than immoral, to pray for the victory of "my" team. The actual players may pray for victory for themselves, though that means the other team must lose. A person will yearn, and may legitimately pray, for his own vital needs. (See the next section, on Saul Smilanky's argument.) By contrast, a fan has a heartfelt but trivial interest in the

I suppose I could still wish. Actually, I did not want to wish either. I just felt gratitude for the exciting game I had seen. Giant fans could all feel part of something bigger than themselves, but I could not join them.[23]

Invoking my deepest needs, as my teacher R. Soloveitchik has argued, should include a table of those needs, so I learn which needs belong; for this reason, trivial pursuits do not appear in the statutory prayer, the *Amidah*.[24] Realizing my gratitude, that in this improbable world I have what I need to exist, appreciating what exists, should have a place on my schedule; it does deserve that dignity. Accepting that I am not the owner, not in charge, deserves a place.

Immoral Prayer?

Philosopher Saul Smilansky suggests another limitation on prayer: prayers that good come to me count as immoral, when, as a consequence, evil would come to others.[25] In one of his examples, a mother must not pray that a vital organ arrive from a donor in time to save her dying child, since someone must have a fatal accident to make the vital organ available. If the mother killed a prospective donor, that would amount to murder, so the mother must also not pray for her child to receive a donor organ. Prayer, in Smilansky's vision, amounts to "action, rather than mere hope" to influence the future, and we should subject prayer to the "higher moral standards that apply to actions."

I endorse Smilansky's observation that prayer lies on a continuum with "mere hope," and I recognize that some selfish prayer deserves condemnation. Still, I find his moral scale too sensitive for several reasons. He sees prayer as a kind of action to change the future, where I see prayer as expressing our yearning addressed towards God.[26] When

team's success, not based on the fan's real needs nor on the moral difference between the teams. For him to pray for the team means to elevate a trivial interest to formal prayer, and that seems inappropriate to me.

23. I have since developed a more negative evaluation of watching football games. On every play, several players commit the equivalent of criminal battery. In nearly every game, some of this battering results in injuries, many of these serious. Years later, most players suffer physical deterioration, and nearly all suffer permanent brain damage. I can find some other way to entertain myself.

24. "Redemption, Prayer and Talmud Torah," *Tradition* 17,2 (Spring 1978): 55-73.

25. Saul Smilansky, "A Problem about the Morality of Some Common Forms of Prayer," *Ratio* 25, 2 (June 2012): 207-15.

26. Smilansky admits that "There is little moral difficulty if the person does not really believe that his or her prayer has any efficacy of the relevant sort" (210).

our benefit depends on the misfortune of others, Smilansky sees us as responsible to act and to pray from a neutral position far above ourselves, a universal position. In effect, he wants us to pray as he wants us to act, from a God's-eye perspective.

Return to the mother with her dying child. Smilansky would forbid her to murder a potential donor, which seems fair to me. Would he allow her to fill out the forms correctly to ensure her child's eligibility for the next donor organ? After all, if her child receives the organ, some other desperate patient does not. Perhaps the heroic mother should extend Smilansky's judgment to refraining from filling out the forms, and so too refrain from reciting a prayer for her child, as the child's benefit depends on misfortune befalling others, but I do not feel convinced. Not everyone can aspire to become like the liberal in Robert Frost's poem, "The Lesson for Today," who defines himself as "so altruistically moral/I never take my own side in a quarrel."[27]

It seems that Smilansky evaluates someone who would pray in a life-or-death competition as illicitly seeking advantage, as if prayer amounted to bribing the umpire. We must not cheat by talking to God. Though the ultimate Judge does not take bribes (Deut. 10:17), Smilansky rules it immoral to ask for a problematic benefit "just because God will be there to block one's prayer . . . if it is morally inappropriate" (212). Here, I think Smilansky's standard not sensitive enough. Even if we limit petitionary prayer to asking for apparently inoffensive boons, we still offer advice and instruction to the Master of the Universe, having first evaluated the advice to make sure that we are not trying to mislead the Master of the Universe to do anything that we, in our wisdom, consider immoral. If we have power to influence the Master of the Universe, we lack wisdom to do so. When we pray, our prayers always come with the caveat that we, limited beings, do not truly know what we need, or what the universe needs. In the words of Kierkegaard: ". . . [P]rayer does not alter the unalterable; but would that be desirable in the long run? Could not fickle man easily come to regret that he had gotten God changed?"[28]

27. Robert Frost, "The Lesson for Today," in *The Poetry of Robert Frost: The Collected Poems, Complete and Unabridged*, ed. Robert Frost and Edward Connery Lathem (New York, 1963), 354.

28. *Purity of Heart is to Will One Thing: Spiritual Preparation for the Office of Confession,* translated from Danish by Douglas Van Steere (New York: 1956 and subsequent reprints), 51.

I agree with Smilansky that some selfish prayers may indeed deserve blame, but not for the same reasons as he offers. In the hypothetical he calls Boarding School, a student prays that the headmaster of her school die a lingering death for vexing her. Smilansky finds this a reprehensible prayer because expressing a prayer constitutes an act to harm the headmaster, not a mere wish, and because the student may need to rely on God's goodness to protect the headmaster from evil. I find the prayer reprehensible not because of what it does to the headmaster, or what it does to God, but because of what it does to the student. As she prays for disaster to strike the headmaster, she becomes more vindictive, greedy, sour, and selfish. I have to accept that saying inappropriate prayers can change us in a bad way if, as I believe, saying appropriate prayers leads us to become compassionate, thankful, sweet, and caring.[29]

R. Joseph Soloveitchik, contemplating the table of petitionary prayers, asserts that "I pray for the gratification of some needs since I consider them worthy of being gratified. I refrain from the gratification of other needs since it will not enhance my dignity."[30] R. Soloveitchik elsewhere defines dignity as "dominating the environment" so as to meet our needs,[31] and so perhaps prayer always diminishes dignity, since in

29. An early reader of this paper, currently serving his sentence in the Michigan Correctional System for actions leading to the murder of his own father, reacted to the "Boarding School" problem as follows:

> Your understanding of the student in Smilansky's "Boarding School" problem obviously speaks volumes to me. To use your language, saying inappropriate prayers makes her (me) more vindictive, greedy, sour, and selfish. Spending years in such thought about my father exploded to action in the most horrible of ways. We really do become what we think, yes? Now, decades later, dwelling upon the positive, of helping others, and petitioning God to be imbued with morality does lead to the sort of appropriate person you describe.

Rambam uses a similar explanation for the prohibition against cursing people (*Sefer Ha-Mizvot*, prohibition #317)—cursing is prohibited because of the effect that the imagined and intended harm expressed in the curse has on the personality of the one who issues the curse. Note that this conception of personal dynamics seems opposite to the common hydraulic metaphor that extols the virtue of "letting off steam."

30. R. Joseph B. Soloveitchik, "Redemption, Prayer and Talmud Torah." *Tradition* 17, 2 (Spring 1978): 67. In "*Rayanot al ha-Tefillah*," (74), R. Soloveitchik asserts that "Suppressing liturgical expression is impossible. Prayer is necessary" (my translation). The religious person cannot live without some form of praying, but I wonder how often reciting the statutory liturgy satisfies the vital need to pray.

31. R. Aryeh Klapper reminded me that in "The Lonely Man of Faith," R. Soloveitchik defines human dignity as "dominating his environment and having control over it" (*Tradition* 7, 2 [Summer 1965], 13), thereby having the ability to meet his needs. R. Klapper suggested that prayer thus always contradicts human dignity. I feel grateful to

prayer one acknowledges dependency. Perhaps so; but accurately recognizing one's dependency for what one really needs enhances a human being, and crudely requesting a trivial or evil desire diminishes a human being. Praying for trivial wants, such as the success of a favorite team, or for disproportionate revenge, such as the death of the annoying teacher, diminishes the pray-er.[32]

Absolutely Futile Yearning

So, I suggest, prayer has great value, but I do not insist that only those who believe in its efficacy can reasonably engage in it.[33] If that seems strange, consider mourning, as described by Lord Byron in "Oh! Snatch'd Away in Beauty's Bloom":[34]

> Oh! snatch'd away in beauty's bloom,
> On thee shall press no ponderous tomb;
> But on thy turf shall roses rear
> Their leaves, the earliest of the year;
> And the wild cypress wave in tender gloom:
>
> And oft by yon blue gushing stream
> Shall sorrow lean her drooping head,
> And feed deep thought with many a dream,

R. Klapper for these observations.

32. An early reader, the inmate in a Michigan prison whom I cited in n. 29, writes: "you again make the distinction between a wish and a prayer. I pray for release; I wish the chow hall would have chocolate mint ice cream tonight. . . ."

33. The skeptic Ambrose Bierce points out the contradictions at the heart of petitionary prayer, in his definition of the verb "pray": "PRAY, v. To ask that the laws of the universe be annulled in behalf of a single petitioner confessedly unworthy" (*The Devil's Dictionary*, Guttenberg Project [EBook #972]).

The believer Kierkegaard, as if in response, asserts that "The function of **prayer** is not to influence God, but rather to **change** the nature of the one who prays." Emphasis in original. *Purity of Heart is to Will One Thing*, trans. Van Steere, 51.

Medieval Jewish philosophers have already expressed both of these ideas. In a book about Rambam's conceptions of prayer, Ehud Benor observes that "Maimonides says absolutely nothing about conditions under which a prayer will be answered" (*Worship of the Heart*, 77). Benor further asserts (ibid.) that even Moshe de Trani, a medieval thinker who explicitly teaches the supernatural efficacy of prayer, still proclaims that "the essence of prayer is not a wish or an expectation that one's petition will be granted but a duty to proclaim that God alone is worthy of prayer."

34. From *Hebrew Melodies* (London, 1815), 15.

And lingering pause and lightly tread;
Fond wretch! as if her step disturbed the dead!

Away! we know that tears are vain,
That death nor heeds nor hears distress:
Will this unteach us to complain?
Or make one mourner weep the less?
And thou—who tell'st me to forget,
Thy looks are wan, thine eyes are wet.

We know that mourning, even done with great fervor and sincerity, does not bring back the dead, and yet we mourn. We do not believe that the dead can feel our footsteps on their graves, but, out of deference to the dead, we (in Byron's poem as in Jewish practice[35]) refrain from stepping on the graves. If Byron's rationalist critic challenges us for the sentimentality, the illogic, of mourning, Byron defends us by observing that even the rationalist mourns.

R. Moshe Isserles seems to distinguish mourning from wishing to alter the past. In his gloss (on *Shulḥan Arukh, Yoreh De'ah* 476:2), he forbids saying "Well, what can you do?" when visiting a mourner.[36] That question implies that if we could change reality, we would, but the true Judge has decided more wisely than we. In my experience, mourners do feel "I would it were otherwise." The physician who strove to find a cure on time, the firefighter who tried to extract a child from a burning building, the lifeguard who breathed into the nostrils of the drowned swimmer, all certainly feel regret at the outcome of their efforts. Job says, "the Lord gives and the Lord takes, blessed be the name of the Lord" (1:21), and his words have terrible force only because we know that he would want his children back alive again in an instant. Erica Brown experiences her sense of the futility of trying to console a bereaved mother, and dismisses her own act of visiting the mother, "But it's nothing, absolutely nothing. It's just the smallest thing we can do. It's because we can't do what we really want to do, which is to bring your son back."[37]

35. In his commentary on Mishnah *Nazir* 9:3, Heinrich Guggenheimer notes: "It is forbidden to step on a grave when burying another person." See Guggenheimer, *The Jerusalem Talmud: Third Order Nashim, Tractates Gittin and Nazir* (de Gruyter, 2007), 735, n. 110. See also *Turei Zahav* on *Yoreh Deah* 363:1.
36. Cf. Maimonides, *Hilkhot Evel* 13:11.
37. Erica Brown, "Kindness Matters," *The Jewish Week* (December 7, 2014), 66.

The Efficacy of Prayer

A cynical skeptic might challenge a believer: "What sense does it make to pray? Do you really believe that God will change the future for you?"

The believer may answer: "I can pray exactly because I do not expect God to change the future for me. If I expected God to change the future for me, I would feel embarrassed to pray. Prayer makes sense, not despite my doubts that God will change the future for me, but because of these doubts."

We pray to God, asking that our entreaties be granted. From a certain point-of-view, we expect that God *will* not generally grant our entreaties, since the Universe seems governed by systematic rules larger than we. The Talmud expresses this principle as "*olam ke-minhago noheg,* the world continues to go in its customary pattern" (*Avodah Zarah* 54b).[38] We also anticipate that God *should* not generally answer our entreaties, since we do not have the wisdom to instruct God about what ought to happen. Though we must pray, R. Soloveitchik adds another reason why we ought not to pray: we are too insignificant to express our puny needs before the infinite God.[39] And yet we pray, acting on the unlikely possibility that our prayers will be answered.

Mark Twain, in his "Letter from the Recording Angel," considers the implications of the belief that prayers get answered according to the fervor of the worshipper.[40] The result are not pretty: an angel grants the coal-merchant's "secret supplication from the heart" for bad weather to increase the price of coal, and denies the same merchant's prayer for mild weather to benefit the poor as mere insincere "Prayer-Meeting prayer," contradicting the sincere prayer for bad weather. If we imagine the world run by an entity that behaved according to this rule, we might

38. R. Ḥiyya bar Abba says in the name of R. Yoḥanan, "Whoever prolongs his prayer and looks deeply into it comes to heartache" (*Berakhot* 32b). Rashi explains "looks deeply into it" as "he looks forward to having his prayer granted." This, says Rashi, "causes heartache as when a man looks forward to something and his desire does not come."

39. See *Rayonot al Ha-Tefillah,* 74: "If so, what is the nature of prayer? The whole essence of prayer as request and entreaty of the puny needs of the person, as we have stressed, is astonishing and wondrous to us. Can a person find standing before the transcendence of God, and spill before him petitions for insignificant matters?" (My translation).

40. Lawrence Berkove asks me to note that Twain particularly means to savage Calvinist notions of prayer as a special ability of the elect. That the angel also requires fervency or sincerity amounts to a side point.

want to pray for practical utilitarian reasons, but the entity would not deserve our prayers.[41]

Believing that our prayers should change the future has much in common with becoming destructively furious when we do not get what we want. The Talmud asserts that if someone destroys property in anger, it is as if he worshipped idols (*Shabbat* 105b). I know from introspection that I lose my temper when faced with the realization that things have not turned out the way I want. As such, my anger is based on the belief that what I want to happen should happen. This feeling exactly matches Albert Ellis's observation that destructive anger comes from that word, "should": Ellis asserts that a reasonable person can become sad and disappointed when he does not get what he wants.[42] A reasonable person will not become irrationally miserable or destructively furious, since she accepts that one does not always get what one wants, and disappointing things happen to everyone from time to time. A person who illogically believes that she "should" get what she wants might well catastrophize, exaggerating "I cannot live with this outcome." She might feel justified in becoming irrationally miserable and destructively furious. In short, when I believe that the world ought to accord with my wishes, I believe that my prayers should determine the future, and I become furious when I meet disappointment. That belief that the world ought to accord with my wishes amounts to idolatry, because it sets *me* up as a god.

If we believed that our prayers would influence the future, that in all probability God would obey our requests, our prayer would resemble magic. We would believe that we have the ability to command the Deity. Our prayer would place us with the magicians on the wrong end of the long curve towards an appropriate concept of God.

If we believed that God should make the future fulfill what we request, that we deserve to have the outcomes we want, that in our wisdom we can instruct God to satisfy our needs, then our prayer places us among the idolaters, again on the wrong end of the long curve towards an appropriate concept of God. In fact, we would have a peculiar form of idolatry: the belief that we should control the universe, that

41. All of Smilansky's ethical problems about prayer would have force in Twain's universe, where prayers generally come true. In that universe, we would have to take care not to mislead the angel into granting evil or thoughtless prayers. We would have to work hard not to become like the characters in folktales across the world who have wishes granted, and use their wishes unwisely.

42. Albert Ellis, *How Stubbornly to Refuse to Make Yourself Miserable About Anything: Yes, Anything* (New York, 1988).

what we wish for deserves to happen, amounts to the belief that we are God, or ought to be.[43]

In the past paragraphs, I used the social metaphor to describe petitionary prayer. If I try to conceive of a more austere metaphor, I get this: Imagine that all the forces that drive the universe cohere into One.[44] I, a mere human, have the desire to articulate my yearning before that One. I feel privileged to have permission to articulate my yearnings, but I would feel astonished to learn that that One generally bends those universal forces to meet my desires.[45]

In my petitionary prayer, I humbly recognize that what I want does not generally determine the future. The possibility that my prayer will not succeed, from this perspective, qualifies not as a refutation of prayer, or even as a logical challenge to prayer, but as an absolutely necessary prerequisite for prayer. Samuelson, in explaining the thought of Levinas and Schwartzschild on a related point, asserts that "The thought of success is not merely of secondary importance; it is the essence of idolatry" (253). I leave aside the question of whether in fact prayer can influence the future; as long as I think it unlikely, I can pray.

This paradox brings a curious parallel to mind. The ideal of romantic love appears in its most elaborate form in the poems of the Provençal troubadours, especially in the work of Bernart de Ventadorn (who lived ca. 1130/40 to ca. 1190/1200). The troubadour wrote poems expressing his longing for a high-born and beautiful woman, whose name he often conceals. In these poems, he deeply desires intimate relations with her, but he cannot get even a sign of encouragement from her. Though this disappoints him, it also ennobles him, for the lady has such good qualities that even longing for her improves all his qualities. No one can be truly noble without experiencing this kind of longing. As the poet looks around him, he sees some contemptible men who write poems of longing for sexual union with women who actually become available; the poet sees these men as crass. The poet sees other bloodless men who write poems about high-born beauties who exist only in their minds;

43. Cf. *Shulḥan Arukh, Oraḥ Ḥayyim* 98:5: "Do not think, I am worthy of having the Holy One, Blessed be He, fulfill my request, since I have sincerely focused my prayer . . ."
44. One who stands, in traditional terms, "above" the universe, or perhaps less traditionally, "behind" the universe, a useful metaphor as long as we do not insist on the spatial implications. See also n. 9 above.
45. "The will of those who fear him He does," according to Ps. 145:19, but so much of what humans yearn for turns out to need undoing: we drain swamps that later we decide needed flooding; we dam rivers that later need to run free.

these men want to look like noble poets, but they do not have real desire in their hearts. Only the true poet feels ennobled by his hopeless love for a real lady of high quality.[46]

Looked at as a love-poem, the troubadour lyric seems only ridiculous. For some silly reason, the lover feels proud of an inevitably frustrating relationship. Looked at as a metaphoric description of a religious quest, the troubadour lyric describes the very paradox of petitionary prayer. The poet, philosopher or mystic, wants something from God; at its most refined level, he wants a kind of union with God. Any entity which could grant that union would not be the transcendent God. Any religious poet who boasts of achieving union with God defines himself as a crass individual, someone who has no real knowledge of God. Any poet who just goes through the motions of claiming that he wants union with God has not really achieved religious fervor. Only the poet who begs for an impossible boon from God knows the significant quest and its inevitable frustration.

Prayer and Practical Endeavor

I think that even the rationalist who mocks Byron's tears wishes, and wills, and tilts his head as the bowling ball rolls down the alley. The religious personality, on occasion, converts that wishing, that willing, into genuine prayer, and need not apologize for doing so.[47] Indeed, we feel the lack of some important part of a personality in one who would refuse to mourn, and perhaps we feel the presence of something important in someone whose prayers have seemliness. Somehow, genuine mourning expresses who we are, and perhaps genuine prayer as well.

By the way, the feeling that I am not in charge can produce a delicious sense of relief. Some wise people can even master adversity by letting go of the desire to control what they cannot control. However, there are items that I can control. Like those who believe in magic, some

46. An anthology of troubadour love lyrics thus resembles a file of elegant applications by Groucho Marx for membership in clubs that would not accept him.

47. I endeavor, in this essay, to find out why a sophisticated believer can pray; David Shatz suggests extending the argument to explain the prayers of a total atheist—if total atheists do indulge in prayer. Elie Wiesel records, in *Night,* the experience of praying to "this God in whom I no longer believed." See *Night*, trans. Marion Wiesel (New York, 2006), 91. Avi Sagi argues that prayer does not require belief in God. See his *Piẓu'ei Tefillah: Tefillah le-Aḥar 'Mot ha-Kel'* (Ramat-Gan, 2011). Sagi's book came to my attention too late to integrate it into this essay.

people believe in their own ability to control events. Unlike the magician, the scientist and inventor and technologist really can control events and ameliorate the human condition.

R. Soloveitchik, in *The Lonely Man of Faith*,[48] finds two portraits of humanity in the two creation stories at the beginning of *Bereshit*. Adam, in the first story, masters creation. Adam, in the second, feels loneliness, seeks companionship from God, from animals, and from the woman, and faces existential, insoluble problems. Adam, in the first story, has the ability to invent instruments to expand human dignity. We would not be better off if Adam the first learned to accept reality or to let go. These two stories, of course, do not describe two different types of human being. They rather describe two archetypes; we oscillate between the two. To do so wisely, we really do need Reinhold Niebuhr's prayer, "Father, give us courage to change what must be altered, serenity to accept what cannot be helped, and the insight to know the one from the other."

Niebuhr's distinction may indeed explain the Mishnaic rabbis' opposition to prayers to change the past. The Mishnah asks us to bless God for the bad as we do for the good, and not to pray to alter the past. Moshe Halbertal formulates these two demands as: "When bad things are still avoidable, a person ought to fight them with all his strength. He should act on his own using practical means and simultaneously petition God up to the last moment. But once the events have actually occurred, he should shift from demand to acceptance."[49]

Other Possible Benefits of Petitionary Prayer

The act of prayer can have other benefits. I have had the experience of referring to an ailing friend by name at the appropriate place in my statutory prayer, and then realizing that I had to alter what could be altered, and visit the friend as well—saying the prayer reminded me that I had something to do.

One can visit a friend at the hospital without praying; but one has to, at some point in the visit, wish that the patient recover. Even the atheist can make that wish. The religious person can wish to God that person would recover. Anyone who visits the sick can wish that things were not as they are, that the patient had not become sick, or had

48. Joseph B. Soloveitchik, "The Lonely Man of Faith." *Tradition* 7, 2 (Summer 1965): 5-67.
49. Halbertal, "The Limits of Prayer," 43.

already recovered; the religious person, according to the Mishnah, must not make that wish "to God," must not convey that wish into a prayer. And yet, that wish seems the very essence of visiting the sick; though we should not pray to change the past, Halakhah demands that we pray for the patient's future.[50] My teacher R. Joseph Soloveitchik noted that, when he was a patient, he felt a dreadful sense of aloneness;[51] the experience of having a visitor praying alongside the patient might partially alleviate that feeling.

The funeral of one who died young, or a visit to the mourners who have lost a young relation, makes the same demand. One who visits the survivors has to think this impossible thought for the visit to have the quality of calling on a mourner.

Group Prayer

I have written, thus far, about the solitary experience of wishing, and the process by which that turns into prayer, for some of us, some of the time. I have left out of this calculus the experience of a large group wishing together, as sports fans do, the group experience of singing together, as campers do, and the group experience of praying together, sometimes with song, as congregations do. I know an observant Jewish rationalist who decries singing at prayer as distraction from the meaning of the words of the prayers: in his words, a mere "holy hootenanny." It seems to me that maybe wishing together with the group, and singing together with the group, contains the meaning of the prayer more than the actual words do. Spectators at a marathon also become a group as they call out encouragement to the runners going by. Those runners report that they really do gain strength from the encouragement. So, too, fans in the stands urge the football player

50. R. Moshe Isserles, gloss on *Shulḥan Arukh, Yoreh De'ah* 335:4: "Anyone who visits and does not request mercy for him has not fulfilled the commandment."

51. See R. Joseph B. Soloveitchik, "Majesty and Humility," *Tradition* 17,2 (Spring 1978): 32-33 and "Out of the Whirlwind," in *Out of the Whirlwind: Essays on Mourning, Suffering and the Human Condition*, ed. David Shatz, Joel B. Wolowelsky, and Reuven Ziegler (Jersey City, NJ, 2003), 134. Regarding praying together, note the comment of the Rav reported by Lawrence Kaplan: "The prayer of the community is rooted in the gesture of praying together, not in that of praying for each other. . . . To pray for each other means to live through a common passional experience which urges, which impels man to pray together." See Lawrence J. Kaplan, "On Translating *Ish ha-Halakhah* with the Rav: Rabbi Joseph Soloveitchik's Notes to Halakhic Man," in *Mentor of Generations: Reflections on Rabbi Joseph B. Soloveitchik*, ed. Zev Eleff (Jersey City, NJ, 2008), 338-39.

to run (though he was already doing so without their urging, and he probably cannot hear their cheers).[52] More than that, the fan in his living room urges the player on his television screen to run, without any rational expectation that the player can hear him. Many fans, I think, do without magical rituals, but every fan has to will the favorite team's success. You simply do not count as a fan at all if you do not exert your will to have the team succeed. Several fans together get swept up in willing together; they form a group, they feel themselves part of a larger whole. Fans in groups experience the exhilarating sense of belonging to a powerful entity. Standing together before the home team bats in the seventh inning, performing the wave together, and, especially, chanting together, molds disparate individuals into a unified aggregation. It makes a fan feel part of an entity bigger than any one person, an entity that outlives its individual members; in that way, becoming a fan resembles entering a religious community. I lived at one point in the Boston area, surrounded by Red Sox Nation (as the team's fans are called). The act of willing success to the Red Sox constitutes this nation, serves as its naturalization ceremony. In a parallel way, the experience of chanting an ancient prayer together with hundreds of other worshippers binds us into a congregation, makes us feel part of larger whole which will outlast our individual lives.

Individuals also habitually wish each other well. From the most prayerful formula recited during the Days of Awe, "that he pleads for him, and blesses him that he merit in these days to be written and inscribed in the book of good life" (*Kiẓẓur Shulḥan Arukh* 128:2) to the salesclerk's most offhand "Have a nice day," our parting words typically bind us together with good wishes. The most secular among us still wish us "Good luck," or even, "Good bye," which, etymologically, means "God be with you." [53] My late mother-in-law, Rosalie Koenig, not mobile in her final years, asked "Why am I still here? I cannot do anything. I can pray for people." In that vein, she expressed her wish for fellow-patients, staff, nurses, doctors, and relations with the words "only blessings." They seemed heartened by the wish.

52. My thanks to David Shatz for this example.
53. In Joanne Greenberg's story, "Certain Distant Suns," a thoroughgoing atheist refuses to use the words "Good bye." The story appears in *High Crimes and Misdemeanors* (New York, 1980).

Interim Summary

Before I began this line of thought, prayer seemed to me an activity peculiar to religious believers. Now I think of prayer as a subset of a widespread, perhaps universal, human activity. Humans generally do this wishing, wanting, and yearning. Only some of us do a kind of yearning called petitionary prayer.

The rabbis, as I now see them, used their moral suasion to discipline our wishing and wanting. We should become, under their tutelage, wiser, people who want in a wiser, and more refined way. We should become aware of those desires which a sensitive person should have, and should pray for, and those which we should not express in prayer. Most of the rabbis join in this effort to refine our willing and wanting. The sweet spot, the prayer equivalent of the pocket in bowling, comes when one knows well before God what to want.

Alternative Visions of Prayer

Let me focus, for a moment, on two who recommend something other than refining our crude yearning into elegant prayers. R. Naḥman of Breslov departs from this model of prayer that refines the sophisticated pray-er. Rav Naḥman says that, in addition to the statutory prayers, we ought to set aside some time and some private place for personal prayers, in which we call out our needs without any sophistication at all, like a child begging its parent.[54] We should say these prayers, not in the elegant Hebrew of the prayerbook, but in plain Mama-loshn, in Yiddish. We ought to have an intimate enough relationship with God that we can hold nothing back, that we can express everything, as freely as possible. The statutory prayers belong in the synagogue, and these free form prayers belong in the forest, or in some private spot at our homes. According to Rav Naḥman, we need to cultivate our simple needs, not refine them.[55]

54. *Likkutei Moharan* 2:78.

55. *Likkutei Moharan* 2:46. Apparently, R. Soloveitchik would not agree. He asserts that even when threatened by wild beasts or armed robbers, a person "who does not have the power to lay out before the Lord all the order of prayer in its original version, to put his praise of God in order, and to ask permission for his audacious approach . . . has no permission to request his needs" ("*Rayanot al Ha-Tefillah*," 89). In another essay, however, he describes engaging in exactly the kind of prayer recommended by Rav Naḥman. R. Soloveitchik, visiting his dying wife, could not bring himself to pray in the hospital; as soon as he returned to his apartment, "I would rush to my room,

For Rav Naḥman, we hit the sweet spot when we call out our needs in simplicity, without thought.

Rambam departs in the opposite direction. Rambam strongly implies, in the *Guide*, that a person who strives for human perfection strives to transcend the desire to request anything.[56] This self-perfecting person rather uses time to contemplate the knowledge of the perfect, unchanging, ultimate reality. He develops a philosophical distance from the vanities of this world, from things which have only contingent existence, and meditates on the ultimate reality, which exists by necessity. A person who approaches success in achieving this state of mind cannot be bothered by his own personal wants, or even the ideal wants of his people (*Guide of the Perplexed*, 3:51). Rambam, if I understand him correctly (a necessary qualifier), has a Buddhist flavor.[57] The person who tends towards perfection does not want, does not will. Adam originally, according to Rambam, did not see the world in terms of good and bad, but in terms of true and false (*Guide of the Perplexed*, 1:2). The perfecting person returns to that prelapsarian state; he does not yearn for anything but the knowledge of God; he does not fear anything but absence of the knowledge of God. So, for Rambam, this perfecting person transcends the need to pray for what he needs, or what anyone needs.

Paradoxically, Rambam says that only one whose mind concentrates upon the knowledge of God to the extent that humans can achieve such knowledge, achieves special divine providence.[58] Does that mean, as it seems to say in literal terms, that God intervenes in miraculous ways to protect and benefit this person? Or does it mean that this person does not request anything from God, accepts everything as an act of God, and so achieves perfect independence from needing and wanting? Of all human beings, only this philosophically detached person can have his wants met, for only he has no wants. "If a man's thought is free from distraction, if he apprehends Him, may He be exalted, in the right way and rejoices in what he apprehends, that individual can never be afflicted with evil of any kind."[59] For Rambam, the sweet spot comes when one escapes the need to need.

fall on my knees and start praying." This passage appears in "Majesty and Humility," *Tradition* 17, 2 (Spring 1978): 33.

56. See also Benor, *Worship of the Heart*, chap. 1.

57. Rambam follows Sufi teachers here.

58. See also *Guide of the Perplexed*, 3:17,18. "Providence is consequent upon the intellect" (Pines translation).

59. *Guide of the Perplexed*, trans. Pines, 3:51, p. 625.

R. Naḥman and Rambam express diametrically opposed models of prayer, and yet both seem attractive to me. If, as I have argued, prayer exists on a continuum with wishing and wanting, the more aware a religious person becomes, the more effective he should become at expressing his wishes; hence, Rav Naḥman. Rav Naḥman strikes me as insightful. A person can achieve a kind of false sophistication, the feeling that he has transcended needing, wanting and wishing, by becoming unaware of what he really wants. In his effort to become a philosopher, he instead becomes emotionally blind. If he would value expressing his wants and wishes clearly, he would become more, not less, aware.

Rambam's view, too, strikes me as compelling. A person achieves a kind of wisdom by transcending trivial wants and needs, rejecting wishful thinking and accepting what truly exists. She thus feels the need to pray about fewer of her hopes. If the rabbis ask ordinary believers to overcome the temptation to recite futile prayers for the past and trivial prayers for the future, then a great religious personality who strives for dispassionate knowledge of God may hope to disconnect from wanting and wishing about all temporary phenomena. At the end point, she would feel the desire to want only knowledge of God. She cares only about knowing the eternal truth; hence Rambam.

Normal people do not achieve Rambam's end point. Normal people still want to have meaningful work, to have enough to eat, a safe place to live, and fulfilling relationships with others. They want their relations and friends, and even strangers, to enjoy these same goods. Normal people do not become indifferent to the temporary goods of this world. Petitionary prayer, asking for these and other worthy goods, remains a value for normal people.

Conclusion

The contrasting recommendations of Rambam and R. Naḥman serve as a kind of fitting summary for this whole essay: R. Naḥman wants us to try to become naïve religious believers, but if we have not become naïve believers, how do we, sophisticated believers, still value prayer at all? Until one has, like Rambam's hero, reached the highest levels of detachment from the temporary world, one feels the need to express desires, to wish, to will; most of us will never reach those highest levels of detachment. As I write this essay, I hope, and will, and wish, that I find good

words. I want my words to hit the sweet spot, so that readers will say, yes, you illuminated something true about the experience of praying, and wishing, and willing.

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ALEX S. OZAR

Yeridah Le-Zorekh Aliyyah: *Rabbi Joseph B. Soloveitchik on Autonomy and Submission*

"Only out of a personal relationship with the Absolute can the absoluteness of the ethical co-ordinates arise without which there is no complete awareness of the self."
—Martin Buber[1]

"If I am not for myself—who will be for me? But if I am for myself, then what am I?"
—*Hillel, Pirkei Avot* 1:14

Premise one: R. Joseph Soloveitchik energetically champions an ideal of personal autonomy as vital to authentic religious life. A robust approbation of human assertiveness, of man's[2] quest for independence, dignity, and glory, is a hallmark of R. Soloveitchik's philosophy and one of his most significant contributions to the broader cause of Jewish thought.[3] *Halakhic Man* is suffused with a portrait of man as free, independent, and boldly creative—a *hero*. *Lonely Man of Faith* champions the idea that Judaism embraces, even mandates, humanity's

1. *The Eclipse of God* (Highlands, NJ, 1988), 129.
2. Though "Man" and related gender-specific terms are used in deference to the source material, effort has been made to incorporate gender-neutral language as possible.
3. For a classic treatment of the issue in general and R. Soloveitchik's innovations in particular, see David Hartman, *A Living Covenant: The Innovative Spirit in Traditional Judaism* (New York, 1985), esp. 1-130; cf. Alex Ozar, "The Limits of Orthodox Autonomy: Evaluating Rabbi David Hartman's Moral-Theological Einterprise," *Tradition* 41,4 (Winter 2011): 47-54.

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pursuit of majesty and dominion. *The Emergence of Ethical Man* renders the powerfully humanistic verdict that the human person, precisely as an unashamedly natural being, is good, worthy, and eminently capable of transcendence; the spiritual is properly speaking an accomplishment of the corporeal. And throughout the Rav's work, the God-person relationship is depicted as one of loving mutuality, caring, partnership, and covenantal fellowship. Judaism, for R. Soloveitchik, is an ambitious, thoroughgoing exercise in the affirmation of human life and endeavor. He is the very model of a modern Western liberal.

Premise two: R. Soloveitchik energetically champions personal subordination, submission, and sacrifice as vital to authentic human life. For every statement of his praising human liberty, there is another pressing the reality and necessity of man's humility and crushing subordination; the individual is called not toward self-assertion and a joyful march to majesty, but to painful withdrawal, defeat, and self-sacrifice in concession to a radically supreme, authoritarian God. "Man appears as absolutely subordinate, as receiving the commandments and bending under the weight of his burden."[4] Overawed by the magnitude of God's commanding authority and presence, man kneels in a posture of servility and dutiful obedience, renouncing his desires and the very freedom to choose for himself what he will and will not renounce. Submission supplants liberty, defeat replaces victory, and heteronomy overwhelms autonomy—all in all an apparently devastating affront to independent human self-worth. R. Soloveitchik's philosophy demands of the individual that he prostrate himself humbly at God's feet, and, as Kant says, "Kneeling down or groveling on the ground, even to express your reverence for heavenly things, is contrary to human dignity."[5]

Intriguingly, both premises would appear to be true; the question is whether their conjunction properly enjoins a *reductio ad absurdum*. To be sure, the specter of a tension in the Rav's thought is not likely to itself make headlines, and certainly I am not the first to notice this opposition in particular. "Dialectic, complexity, plurality of demands—these are the fundamental difficulties in studying the Rav, but they also represent his greatness," writes Reuven Ziegler.[6] For Marvin Fox, central

4. R. Joseph B. Soloveitchik, *And From There You Shall Seek* (*U-Vikkashtem mi-Sham*), trans. Naomi Goldblum (Jersey City, NJ, 2008), 35.
5. Immanuel Kant, "Metaphysical Principles of Virtue," in *Kant's Ethical Philosophy*, trans. James Ellington (Indianapolis, 1983), 99.
6. Reuven Ziegler, *Majesty and Humility: The Thought of Rabbi Joseph B. Soloveitchik* (New York, and Jerusalem, 2012), 91.

to the Rav's teaching was his programmatic refusal to "harmonize the contradictories," and so to "delude ourselves" as to the agonistic forces inherent to human life; put positively, to achieve Jewish illumination is to stand our existential ground and courageously "affirm the contradictory elements."[7] And if R. Soloveitchik's characteristic intellectual and spiritual virtue was his embrace of dialectical tension, it is no surprise that among the contradictories un-harmonized would appear the paired propositions that, in Fox's words, "We are called to achieve a majestic dignity, and also to experience the redemptive defeat of a higher power."[8]

There is, I worry, something of a tendency among R. Soloveitchik's followers toward excessive valorization on this point—as if bravely weathering the agony of dialectical conflict were the sole valid end of religious devotion, with harmony and clarity left to the spiritual amateur and featherweight. Sometimes a contradiction is just a contradiction, and incoherence is no virtue. What *can* make a contradiction more than a contradiction, into a whole greater than its conflicting parts? One approach: It is most basically a matter of dynamic movement and reflective mutuality, the result not a static solution but a living process of progressive interrelation. A contradiction becomes a *dialectic* when its elements move, respond, and dynamically interact, coming over time to more and more resemble a unitary organism; the dialectical solution to a contradiction is not a fixed list of propositions but a program of ongoing creative development. The result is not a "unity which, turning itself in the circle of seamless sameness, would not be progressive, and, thus, insensate or lifeless"—therefore, the unity "is an immediately creative one."[9] It is not enough, then, to say that R. Soloveitchik's thinking courageously abjures harmonization. If we are going to prove this case, the evidence most needful is a coherent story of movement and development, a meaningful and purposeful narrative in which the contradictories feature as principal characters. The question should be not whether the conflicting poles are harmonized or not harmonized, but whether the conflicting poles are or are not engaged in a dynamic, purposive, progressively creative process intending harmonization. The reconciliation is not an event,

7. Marvin Fox, "The Unity and Structure of Rabbi Joseph B. Soloveitchik's Thought," in *Exploring the Thought of Rabbi Joseph B. Soloveitchik*, ed. Marc D. Angel (Jersey City, NJ, 1997), 45-46.
8. Ibid., 45.
9. F.W.J. Schelling, *Philosophical Investigations into the Essence of Human Freedom*, trans. Jeff Love and Johannes Schmidt (Albany, 2006), 19.

but a process; and importantly, not a fact, but an achievement. It is roughly the difference between describing a rock and portraying a *life*. It is in this way that, to borrow the Rav's language from another context, what we have in these opposing forces is not some illegitimate, unstable hybrid, but on the contrary—out of the contradictions and antimonies there *emerges* a radiant, integrated, and nuanced account of man's self-affirmation before God.[10]

For R. Soloveitchik, the conjunction of premises 1 and 2 is indeed, I hope to show, made compellingly meaningful through integration within a dynamic, developmental narrative. The varying motifs each find their rightful place in the story of man's evolution over time, each making their own unique contribution, at the appropriate hour, to man's complete emergence as an ethical personality. It all belongs to the process in which man genuinely becomes man.

> What is Adam the first out to achieve? What is the objective toward which he incessantly drives himself with enormous speed? The objective, it is self-evident, can be only one, namely, that which God put up before him: to be "man," to be himself. Adam the first wants to be human, to discover his identity which is bound up with his humanity.[11]

It is a principle, cast in religious terms, with a venerable Aristotelian pedigree: The goal of man, the ultimate end of all his efforts, and the mission charged to him by God, is to become "man," to fully actualize the potential latent in his nature as a human.[12] The story of human development is a *teleology*—a meaningful and purposive process in history toward an end not realized but veritably latent at the start. Here the "ought" follows from the "is": He who fails to achieve the form of the ideal man defaults on the human person's most foundational responsibility; he who realizes his nature's promise, on the other hand, attains the crown of human accomplishment, that is, authentic actuality. "Man craves for self-realization,"[13] and it is that longing which should serve as the basic, guiding principle underlying man's developmental endeavors. To become fully, authentically human is the elemental challenge addressed to every person.

10. See *Halakhic Man*, trans. Lawrence J. Kaplan (Philadelphia, 1983), 4.
11. *The Lonely Man of Faith* (New York, 2006 [Random House edition]), 14.
12. Lest it be charged that the Rav here refers only to Adam the first, and not the second, the Rav writes explicitly that "Both Adams want to be human. Both strive to be themselves, to be what God commanded them to be, namely, man" (ibid., 24).
13. *The Emergence of Ethical Man* (Jersey City, NJ, 2005), 106.

This kind of process presupposes some determinate vision of the end intended, which may in turn require that the process itself take a determinate form. The specifics of those forms, while present or presupposed in many of R. Soloveitchik's writings, appear most fully, directly, and programmatically in *The Emergence of Ethical Man*, a work whose significance we are only beginning to appreciate. Closely based upon Max Scheler's *Man's Place in Nature*,[14] the posthumously published manuscript profiles the ethical human personality by way of a thematic retelling of *Bereshit* and *Shemot*, supplemented, of course, by an impressive cache of *halakhic* insight. Among other things, R. Soloveitchik here develops a systematic, stage-by-stage account of the development of the human ethical persona wherein, I believe, are organically and dynamically integrated the conflicting-when-static motifs of autonomy and submission. Of course R. Soloveitchik approached the autonomy-submission question at various points from various angles, and various of those are conceptually self-standing and worthy of consideration in themselves.[15] My aim then is not to present *the* but simply one more perspective R. Soloveitchik articulated on this issue—the developmental one appearing most robustly in *The Emergence of Ethical Man*—a perspective I worry has yet to enjoy the attention it is due. I do however believe this perspective is broadly continuous with R. Soloveitchik's ideas in other works, and though I do not argue the point comprehensively, I have made an effort to note the confluence of ideas as appropriate.

Moshe Sokol argues that while R. Soloveitchik was substantially in favor of human independence, the regular appearance in his writing of contrary notions means that R. Soloveitchik's is a mere "ethic of

14. See my "The Emergence of Max Scheler: Understanding Rabbi Joseph Soloveitchik's Philosophical Anthropology," *Harvard Theological Review* 109, 2(April 2016), 178-206.

15. In *Halakhic Man*, for example, it is claimed that through the creative energies of halakhic endeavor the halakhic personality can achieve a state wherein it experiences "no consciousness of compulsion accompanying the norm," coming to perceive it "as though it was not just a commandment that had been imposed upon him, but an existential law of his very being" (*Halakhic Man*, 65). The creative participation in a humanity-affirming divine law cultivates the existential experience of the heteronomous law as the individual's autonomous creation, and so the conflict is dissolved. *And From There Shall You Seek* deepens this claim through an extended dialectical analysis of rational, revelational, and halakhic cognition. In this work, the central problematic for the God-seeking person is the oscillation between the attracting love and repelling fear of God, and the mechanics of imitating God and halakhic practice are analyzed as to varying degrees enabling a transcending of the tension through cleaving to the divine.

autonomy" rather than a bona fide "philosophy of autonomy."[16] In the balance of these pages, I aim to show that in fact, R. Soloveitchik most certainly did articulate a thorough, systematic and critically refined theory of human affirmation, the kind with reasons, arguments, clarity, care, and ambition—all anyone could ever want in a philosophy.[17] His oscillating emphases on assertiveness or submission, majesty or humility, are in a significant sense complementary and harmonious, spinning diverse threads in an organically singular, purposively integral narrative. It is the story of the achievement, over time and through a spiraling series of existential challenges, of the ethical personality's emergence.

Autonomy Emerging

Our tale begins with man in a state radically distant from any sort of autonomy: Man in R. Soloveitchik's primordial universe does not so much as "occupy a unique ontic position,"[18] his standing swallowed in confluence, identity, affinity, and conformity with his natural surroundings. To the extent that he is capable of achieving transcendence, rising above and independent of his environment, that transcendence will always be "seen against the backdrop of naturalness," as a display of colors projected on the canvas of man's intransigent immanence.[19] It is the sort of state evoked by psychoanalytic theory's "primary narcissism," wherein a newborn child simply has no concept of herself as an entity distinct from the world. In the immediate context of creation, man has no independent standing, no unique position apart from the whole of the surrounding universe; he is just another "drop of the cosmos,"[20] in the endless sea of creation, one more speck of dust in the universe's wind.

16. Moshe Sokol, "Master or Slave? Rabbi Joseph B. Soloveitchik on Human Autonomy in the Presence of God," in *Turim: Studies in Jewish History and Literature Presented to Dr. Bernard Lander*, vol. 1 (Jersey City, NJ, 2008), 275-330.
17. Along the same lines, David Hartman writes: "There is . . . a modern Jewish thinker who seeks not to eliminate one of the two themes by treating it as an inferior form of religious passion, but rather to integrate them together in the religious life of the Jew. . . . In Soloveitchik, both dimensions of the Judaic tradition—the assertive and the submissive—are given full expression. . . . Whereas in rabbinic literature there is no attempt to explain how the two fit together, Soloveitchik seeks to bring the two into a higher ideological unity" (Hartman, *A Living Covenant*, 62). But exactly how the two themes are integrated is never, to my knowledge, fully spelled out.
18. *The Emergence of Ethical Man*, 12.
19. Ibid., 9.
20. Ibid., 14.

R. Soloveitchik continues: "But man is not only identical with the universal source of life, the earth. He is also *enmeshed* within the entire physical environment."[21] Granting that man lacks any ontic uniqueness relative to the rest of nature, he *may* prove nonetheless capable of escape from the bonds of uniformity, irrupting into the world as an independent, free-standing self. But at the outset, at least, man is wholly embedded in his surroundings, his would-be presence dissipating quietly into the landscape. In place of conscious, freely chosen, purposeful activity—the mark of genuine individuality—man at this stage is governed exclusively by "automatic push and blind, forced movement."[22] His is "the uniformity of an instinctive anonymous existence,"[23] as he exists not for himself, but for the sake of the species; he is but one more faceless instance of a class. In brief, "The individual constitutes only a medium,"[24] which is to say that he is no individual at all. Man, at this essential first stage in his development, lacks autonomy, even basic selfhood, entirely. The founding premise is that man, as an individual, *is* not.

But with that foundation laid, it was God's will that man rise beyond anonymity and mere species-level subsistence—that he emerge as an independent, individual personality. To initiate the process, God speaks to Adam: "And God blessed them and God said to them, be fruitful and multiply" (Gen. 1:28). Content-wise, God does not at this point add anything in excess of the natural, animal drive toward species preservation and expansion; He simply makes instinct explicit. But by no more than addressing man and communicating to him an ethical mission and teleological purpose, God catalyzes the transformation of man's passive, mechanical drivenness into purposive, planned activity; the blind, instinctive urge to procreate and extend his species' dominion becomes a conscious, willed stride toward destiny.[25] Human existence becomes *teleological*. Through this transformation and the acquisition of conscious purposefulness, he achieves differentiation and hence individuation from his natural environment, his newly attained reflective awareness and proactive directedness establishing him as an independent being.[26] Introduced into man's experience at this point is the capacity to distinguish between his own self and that which is other to it,

21. Ibid., 12. Emphasis added.
22. Ibid., 74.
23. Ibid., 9.
24. Ibid., 72.
25. Ibid., 74.
26. Ibid., 78.

that which is "beyond one's reach, opposed to and different from man."[27] What this amounts to is "the emergence of subjectivity in man: he encounters nature and begins to face it as something alien and different, thus becoming an individual, unique reality."[28] For every object, in that it is an object, there is a corresponding subject (and vice versa). Through His inaugural address to humanity, God catalyzes man's developmental journey toward autonomous subjectivity.

In parallel and in concert, man himself takes a broad step toward individual personality in his naming of the animals (Gen. 2:19-20): "Suddenly a schism developed between man-nature and nature: the split implied in the cognitive gesture, the discrepancy involved in the subject-object division."[29] The very act of cognition implies *differentiation*. Where man, at the outset, had experienced both his self and the world as a single, continuous entity, the naming process introduces a categorical distinction between the cognizing subject and the cognized object; man, as a self-apart, classifies the objects that are not of his self. Along with the awareness of self-other division attained through being addressed by God, man, with his own cognitive gesture, himself quickens the debut of his own individuation and resultant autonomous self-standing—the first mile-marker on his journey toward self-realization as a mature personality.

But the introduction of self-other differentiation, by its very nature, provokes the subsequent developmental crisis: If there is an individuated self and an other separate from it, how will, or should, the two interact? Implicit in the cognitive act is an incipient response to the quandary, with man relating to the other, at minimum, as an object. In the mode of a dispassionate scientist, he investigates the other's features and proceeds to methodically classify and categorize it and its place within his experience, what roles it can and cannot play in his endeavors. The other, at this preliminary stage, is an existential *it*. But what man requires if he is to progress is not only the capacity for assessing and utilizing objects—say, naming a parade of animals—but the further, self-transcending ability to join in partnership with a fellow subject, to relate his *I* to a full-fledged, genuine *thou.*[30] The capacity for true I-thou

27. Ibid., 79.
28. Ibid., 81.
29. Ibid., 90.
30. It is worth noting that the pivotal role of the"'I-Thou" concept in *Emergence* represents one of the few major breaks from Scheler's *Man's Place in Nature,* which is explicitly neutral as to the ethical implications of human personality (see *Man's Place*

relationship is, on R. Soloveitchik's account, the cornerstone feature of the ethical personality, and though the cognitive ability to differentiate one's self from an other is a necessary condition for and a major step toward achieving relationship with that other, it is surely not coextensive with it. Man, at this early stage, has achieved some independence from nature, but remains effectively enmeshed in it, in that he has yet to fully emerge as a virtuously relational person. Differentiation is of no use absent progression toward a higher-order integration. What we need, then, is a "miraculous bridge"[31] into the land of ethical personality, some mechanism with which we can transform "man-*natura*" into fully realized, I-thou relationship capable "man-*persona*."[32]

Step one in this process is again God's personal address to man. Whereas before, in the blessing to be fruitful and multiply, God had appeared as the cosmic, transcendent "E-lohim" and spoke to man only in his impersonal role as species-representative, God in Gen. 2:16 makes His inaugural appearance under the immanent, intimate aspect of the Tetragrammaton, speaking to man as an I to a thou, thereby stimulating the realization of his personhood: "By the mere fact that he was confronted by God and spoken unto, the I-thou relationship emerges."[33] In what way and by what means? Here an insight from 20th-century psychology is helpful: It is a commonplace in psychodynamic thinking that a vitally important component of an infant's healthy development is the loving, personal engagement of a mother-figure. In a well-known study, psychiatrist Rene Spitz examined cases of children who, having lost their mothers, were placed in foundling homes.[34] Left in cribs and fed with mechanically propped bottles, these infants were deprived of any personal, let alone motherly, interaction. The results were devastating: many withered away to the point of death, and those that survived were often severely stunted in their capacity for the most basic emotional engagement. On the other side of the coin, the study illustrated how a

in Nature, 55). R. Soloveitchik, following Martin Buber's critique of Scheler's work, makes the realization of I-Thou relationality not just one possible outcome of but rather essential to the emergence of human personality (see Martin Buber, "What is Man?" in *Between Man and Man*, trans. Ronald Gregor Smith[(Boston, 1955], 199).

31. Ibid., 108.

32. For R. Soloveitchik's use of these terms, see *Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky (New York, 2000), 6-30.

33.*The Emergence of Ethical Man*, 75.

34. Rene Spitz, "Hospitalism: An Inquiry into the Genesis of Psychiatric Conditions in Early Childhood," *The Psychoanalytic Study of the Child* 1 (1945): 53-74.

caring, affectively attuned mother in dynamic, sympathetically engaged interaction contributes powerfully, essentially, and centrally to the formation of a healthy, vibrant child capable of a loving relationship. It is through, and only through, the mother's sensitive reactions to her child's expressions—through her positive recognition of and reactive coordination with the infant's personal self—that the child comes to know that she is a self at all and then that there is an other to whom she can relate. The capacity for love is an achievement of love.

And so, whereas, as we saw, God's initial, impersonal address as cosmic-God to species-Adam in Gen. 1:28 was the catalyst for man's achieving the preliminary step of basic self-other differentiation, it is only with the *personal* speech of 2:16 that God calls Adam to fully relational personhood. R. Soloveitchik writes that prior to His first personal communication to Adam, "God had not appeared as a *personality*—and therefore man could not conceive of himself as a person."[35] It was only with the warm caress of God's personal engagement that man understood that he too could be a person, that he as well could relate to the other as a genuine subject, as a full-fledged thou. And importantly, until achieving that capacity, he was as a human incomplete, *deficient*; such an existence "lacks God's sanction and exposes an *imperfect form of being*."[36] Becoming a personal being capable of genuine I-thou relationship, then, is a necessary, assertive step forward in man's progressive self-realization, and it is with this that we have the "final liberation of man from his environment, the transformation from natural into metaphysical man."[37] Man's freedom from embeddedness and consequent achievement of self-actualization as an autonomous person is precisely a function of his acquiring the capacity to acknowledge and relate to a separately autonomous other in true metaphysical companionship.

Beyond the "mere fact" of personal encounter, God's address to man bore an additional game-changing gift: the prohibition against partaking of the fruit of the Tree of Knowledge, the world's very first moral command. R. Soloveitchik points to a number of ways in which the new ethical imperative served to broaden man's ontological horizons and further his personalistic evolution. First, the fact that the moral command was unique, in no way coinciding with man's natural instincts—there was simply no biological reason to eschew the fruit of

35. *The Emergence of Ethical Man*, 76.
36. *Family Redeemed: Essays on Family Relationships,* 17.
37. Ibid., 12.

that particular tree—required that man expand his cognitive and motivational consciousness beyond the merely natural and beyond *himself*.[38] "Man suddenly experienced the ethical imperative which was prompted by autonomous, unique interests, unknown to natural man," and it was with this, in addition to his first personal encounter with God, that "man begins to experience his selfhood, his personalistic existence."[39] Answering a call originating of external origin, man acquires conscious self-differentiation and the capacity for purposively acknowledging and responding to another personal thou, acting not towards his own ends but purely in reverent response to the autonomous wish of an other. And it is precisely by transcending his own self in regard for an other that he takes a major developmental step toward maturation as an authentic personality. Autonomy is achieved *through* heteronomy, self-realization in and through self-transcendence.[40]

Further, and particularly vital to our broader inquiry, the command to abstain from the fruit of the Tree of Knowledge spelled an apparent reversal of man's forward, affirmative march; better, the key event in man's self-realization is one which radically constrains the expression thereof. Prior to the fateful first injunction, man approached the world with no limits; there was no horizon he could not reach, no treasure he could not claim. But with the command came a dramatic reversal—acquisition was replaced by renunciation, assertion by submission, and unchecked conquest by humbling defeat. As he charged forth in his inaugural thrust at majesty, "Adam met suddenly with God's moral will, with the moral law which challenges man in numerous cases to do just the opposite, to refrain from advancing and to withdraw, to defy

38. Identifying the moral as essentially extra-natural has a recognizably Kantian ring. Kant, in fact, in his own moral-conceptual retelling of Genesis describes the primordial fruit-seduction in terms similar to what we will see from R. Soloveitchik:

> So long as inexperienced man obeyed this call of nature, his lot was a happy one. But *reason* soon made its presence felt and sought to extend his knowledge of foodstuffs beyond the bounds of instinct. . . . But it is a peculiarity of reason that it is able, with the help of imagination, to invent desires which not only *lack* any corresponding natural impulse, but which are even *at variance* with the latter. . . . The outcome of that first experiment whereby man became conscious of his reason as a faculty which can extend beyond the limits to which all animals are confined was of great importance, and it influenced his way of life decisively (Immanuel Kant, *Political Writings*, ed. Hans Reiss, trans. H.B. Nisbet [New York, 1991], 221).

39. *The Emergence of Ethical Man*, 82.

40. The dynamic is masterfully discussed by John Crosby in his *The Selfhood of the Human Person* (Washington D.C., 1996), esp. 174-217.

the very fantasy that made him man."[41] In his experience of the primeval "no," Adam discovers that there is more to the world than his own whim, that negotiating his existence in the world will necessarily require compromising his own pursuits in concession to the will of others. Being a mature person in a world of others means learning to compromise and renounce, not only as a matter of pragmatic-utilitarian negotiation, but as a vitally constituent component of genuine human excellence and flourishing.

That authentic relationship requires sacrifice appears as a pivotal insight throughout R. Soloveitchik's writings. In the succinct formulation regarding Adam the second's acquiring a covenantal partner, "This new companionship is not attained through conquest, but through surrender and retreat. . . . [C]ommunicating and communing are redemptive sacrificial gestures."[42] The further insight uniquely developed in *The Emergence of Ethical Man* and *Family Redeemed* is that the capacity for companionship through sacrifice constitutes an essential component of what it is to be a truly ethical personality, that developing from man-*natura* into a mature man-*persona* requires the willingness to submit and surrender to the will of the other for the sake of the other. Man's liberty and autonomy are compromised. His life is now governed, in part, by an external and effectively heteronomous sovereign; he no longer calls all his own shots. But in and through conceding that measure of self-determination, man achieves a new, vitally important stage of personalistic excellence. It is only through sacrifice that man can achieve genuine relationship, and it is only through genuine relationship that man can mature and flourish as an authentic ethical personality.

The humbling of Adam's assertiveness is, for R. Soloveitchik, one more positive step in the development from natural embeddedness and anonymity to self-realization as an autonomous personality. Restricting man's freedom in relational concession to an other makes an essential contribution to the progressive process of man's self-fulfillment, his submissive withdrawal representing the next stage in the flourishing of the complete human personality—a *yeridah le-ẓorekh aliyyah*. "A man who cannot make the movement of recoil . . . such a person is a man-*natura*, notwithstanding his bold thrust, daring enterprises, grandiose designs, and fabulous exploits . . . all this does not suffice to open up

41. *Family Redeemed*, 11.
42. *The Lonely Man of Faith*, 38.

to man the new ontological personalism of I-hood and thou-hood."[43] The state-of-being constituted exclusively by independent self-assertion is a necessary and important stage in the development of human personality, but it is for all that an infantile, immature stage. Until man is capable of renunciation, withdrawal, and sacrifice, he has yet to become a genuine person, because only a man capable of a full I-thou relationship is a genuine person, and only a man capable of renunciation, withdrawal, and sacrifice can achieve a full I-thou relationship. In short, man achieves an ethically holistic and hence metaphysically complete personality only when he "realizes that to be human means to carry a load."[44] Submission, far from the enemy of self-affirmation, appears here as its natural complement; more fully, submission and self-affirmation appear as dynamically, mutually engaged in an organically singular and purposive dialectical process.

But achieving the capacity for relationship is not quite the same as actually having one, and so, with the groundwork of Adam's personality laid, God observes that it is not good for man to be alone, setting about the work of preparing for him a mate. It is not simply that man, as a "social animal," is better situated to achieve his ends when in the company of others, or that he is less prone to certain types of neurosis. On R. Soloveitchik's account, it is not only that solitude is disadvantageous for man, or, as a matter of psychological reality, unhealthy, but that lonely existence is in itself *not good*—it "exposes an imperfect form of being." A man alone is a man deficient, and so, "another homo-persona is necessary to complete man's existence."[45] Here the story of man's development climaxes, with Adam in the arms of his beloved companion Eve, in a blessed state of shared, metaphysical coexistence. Man, now fully differentiated, individuated, and driven toward his own affirmation, dignity, majesty, freedom, and autonomy, in the same moment concedes concern, commitment, and a readiness to sacrifice for an other beyond himself—a great leap forward in humanity's dialectical pursuit of self-realization.[46] Were he autonomously self-determining only, man would be metaphysically alone, and thus incomplete. Were he submissive and self-sacrificing only, man would be nothing at all—just another

43. Ibid., 14.
44. Ibid.
45. Ibid., 17.
46. It is worth noting that God too sacrifices of His glory, limiting Himself for the sake of relationship.

tree in the woods. But with the affirmation of himself in one hand and the recognition of, submission to, and companionship with a partner in the other, we have the first glimpse of man's ethical personality in its coming-to-be.

Demons in Paradise

Readers will recall that the story does not conclude on so paradisiacal a note; the primordial harmony is shattered by the cold, piercing blade of sin. Where did man go wrong? With his achievement of a differentiated, independent, and autonomous personality, man stands at a crossroads. He may at this point elect autonomy and assertive self-determination as his *sole* guiding principles, orienting his life exclusively toward the realization of his freely chosen personal excellence. With this posture, he may well engage in the enterprise of interpersonal community, interacting cordially with others and coordinating with them toward securing their mutual betterment, and he may indeed exhibit robustly ethical behavior, acting in full accord with the dictates of moral reason. But insofar as he refuses to acknowledge any genuine check on his right to autonomous self-actualization, he will perforce remain incapable of rising beyond the level of mere utilitarian community and into the promised land of fully personal metaphysical companionship.

What this means in ethical terms, R. Soloveitchik argues, is that man effectively relates to the other only insofar as it serves the end of his own self-affirmation, treating the other as an object/it rather than a subject/thou. Man, in this sense, may become *demonic*.[47] He may on a surface level act as a friend, even working toward the good of others, but this is liable to at root be in exclusive, manipulative pursuit of his own ends. To be clear, the claim is not that those ends are purely hedonistic or crassly egoistic; they may well be noble and virtuous.[48] Even the worship of God through basic love and fear, if unalloyed with full submission, is interpreted by R. Soloveitchik as at root an expression of human self-interest,[49] though few would condemn those sorts of worship as such. So R. Soloveitchik is not simply making the trivial claim that unchecked egoism and self-centeredness are as moral attributes less than fully

47. *The Emergence of Ethical Man*, 74.
48. Cf. Crosby, *The Selfhood of the Human Person*, 179.
49. See *And From There You Shall Seek*, 48: "The love of God embedded in this longing is a selfish love."

salutary. The issue here is not so much the particulars of how a person acts as it is the more fundamental question of the nature of his personality and existential orientation toward others—not only what he does, *but what kind of person he is.*

R. Soloveitchik did at times express concern regarding the behavioral liabilities of the autonomous personality and subjectively constructed worldview, diagnosing these as the etiology underlying historical horrors from the Crusades to the gas chambers. In a statement aimed at a certain strand of Kant-inspired language, R. Soloveitchik writes that if it "seems to man that he is the author of the commandments" and he "does not feel the pincers of the revelational duress compelling him to adapt to the laws imposed on him by a separate supreme authority," he is "liable to disgrace himself in public," and "the end result of this freedom is moral anarchy."[50] Without the taming discipline of objective, heteronomous authority, man's brutish passions are liable to issue in callous and reckless violence. But beyond the potential for destructive behavior the self-legislating personality represents, R. Soloveitchik is here making the further anthropological claim that regardless of the consequences, such a personality is in itself humanly deficient, that it fails to achieve full self-realization as an ethical *man-persona*. A person of impeccable moral comportment may well qualify as demonic in the Rav's sense if he exhibits an excessive devotion to independence and autonomous self-determination and a corresponding failure to incorporate appropriately humble regard for external authority and a ready willingness to sacrifice in genuine recognition of and relationship with the other.

Serpentine Logic

In focusing on the original sin's ethical dimension—man's turn toward demonic self-assertion—R. Soloveitchik does not at all ignore the prominent interpretive tradition emphasizing the aspects of lust and hedonic temptation. But rather than side with one camp over the other, R. Soloveitchik artfully weaves the two together: It is precisely because of man's hypnotic lust for pleasure that in his mad quest for satisfaction he fails to give due regard to the other.[51] Adam and Eve, obsessed with pleasure, come to regard each other as objects serving their own gratification

50. Ibid., 54. See also *Halakhic Man*, 153 n. 80, for a similar statement in which Kant is mentioned explicitly.
51. *The Emergence of Ethical Man*, 124.

rather than as persons worthy of categorical devotion; in place of ethical companionship appears demonic domination. Man is guilty of

> self-absolutization and hypostatization. . . . He ascribes to himself and to his works unlimited worth. He rebels against subjugation to the law, whether natural or moral; he likes to command, to chart his own course without accepting any transcendental counsel, legislating an ethical code of his own, to unravel the cosmic mystery and thus usurp the omnipotence of God and become himself a creator.[52]

Psychologist Robert Kegan describes a comparable stage of personality development: "An infant discovers that there is a world separate from him, but not until years later does the child discover that this separate world is not subject to him."[53] On R. Soloveitchik's account, the state of man in his sin is like that of Kegan's infant; he has achieved independence and differentiation from what is other to him, but has yet to grasp—or, as it may be, has as yet refused to grasp—that the other is not subject to him, that it rightly claims a position beyond that of an object in his service. He has yet to master the art of genuine relationship, and in that way remains as a person incomplete. Man sins precisely in failing to acknowledge any check on his own autonomy, tragically mistaking, as would an infant, his assertive pursuit of self-realization for the end of all things.

Of course, if man is indeed asserting himself as the end of all things, then he is in so doing challenging God's position as the ultimate lord and sovereign. He is, in effect, aiming to supplant God as supreme ruler. In Augustine's words, "The sin was a despising of the authority of God."[54] And importantly, to Adam's immature personality, God seemed to be Himself fully party to—even the instigator of—the competition. The snake, in turning Eve toward sin, characterizes God's prohibition of the Tree of Knowledge as the act of a tyrant ensuring the continued subjugation of his subjects; the impetus for the prohibition was precisely God's fear of competition, "that they should become like us" and thereby challenge God's absolute sovereignty. It was a feat of classical psychological projection: the megalomaniac justifies her megalomania by attributing a prior megalomaniacal threat to others. But perceiving God's gesture as a tyrannical challenge to his own dreams of majesty, man believes his only options are to either slavishly submit to heteronomous subjugation, or

52. Ibid., 22.
53. Kegan, *The Evolving Self: Problem and Process in Human Development*, (Cambridge, MA, 1982), 139.
54. St. Augustine, *The City of God*, trans. Marcus Dods (New York, 2006), 532.

else to stand tall and fight for his own mastery. Of course it did not have to be that way, but in man's early narcissistic mindset, snake logic ruled. The town wasn't big enough for both him and God, and one of them would have to go.

It's not just the snake: There is a strong tendency in theistic thought to see the conflict between human assertion and divine lordship as a dichotomous, either-or proposition; to insist on man's autonomy is to straightly deny God's sovereignty, and to establish God as master is to crush any semblance of human independence. The position can be a natural following through of Jewish and Christian fundamentals. Here is Paul Tillich on the direct challenge to man's personal standing posed by the very nature of the classical theistic God: "God as a subject makes me into an object which is nothing more than an object. He deprives me of my subjectivity because he is all-powerful and all-knowing….God appears as the invincible tyrant, the being in contrast with whom all other beings are without freedom and subjectivity."[55]

In Jewish thought, Yeshayahu Leibowitz serves as a conveniently clear and candid representative of this stance. Leibowitz distinguishes sharply between "two types of religiosity."[56] On one end there is an anthropocentric, "endowing religion," aimed at the "satisfying of man's spiritual needs." "Its end is man, and God offers his services to man." On the other, opposite pole, there is a theocentric "religion of *mizvot*," which "imposes obligations and tasks and *makes of man an instrument for the realization of an end which transcends man*."[57] Leibowitz allows us only the stark choice between a religion whose end is man and a religion which negates man in pursuit of that which transcends him; it is one or the other, middle excluded. In a particularly apt formulation for our discussion, he asserts that the ascription to man of any religious value is utterly incompatible with any recognition of God: "If holiness is incarnate in aspects of natural reality itself, or if forces and drives within man are holy, *there is no room for* 'the holy God,' who transcends natural reality, since then reality itself is divine and man himself is God."[58] For Leibowitz, we can have either a holy God or a holy man, but not both; the world isn't big enough for the two of them.

55. Paul Tillich, *The Courage to Be* (New Haven, CT, 2000), 186.
56. Yeshayahu Leibowitz, "Religious Praxis: The Meaning of Halakhah," *Judaism, Human Values, and the Jewish State*, ed. Eliezer Goldman, trans. Eliezer Goldman, Yoram Navon, et. al (Cambridge, MA and London, 1992), 14.
57. Ibid. Emphasis added.
58. Ibid, 25. Emphasis added.

What would R. Soloveitchik say in response? He would, I think, on the one hand commend Leibowitz for emphasizing the indispensability for genuine religion of a full-bodied recognition of man's obligation to the heteronomous will of a commanding God, but would no less reject Leibowitz's blunt, categorical disbarring of any anthropocentric values. R. Soloveitchik asserts that in the authentic Jewish view, both man and God are proper ends in themselves. Man's striving toward his own personal self-realization need not clash with the due recognition of God's sovereignty, and in fact may play a central role therein. Complementarily, man's submission to God's commanding lordship need not negate man's dreams of personal majesty, and in fact may contribute vitally to that end. Both motifs, properly integrated over time, are essential to genuine religious and moral life. And so where a figure like Pope Benedict writes that "What counts is not the fulfillment of my desires, but of His [God's] will,"[59] R. Soloveitchik would stress that both ought to count, and interdependently, dynamically so. Insisting on an either/or decision between my will and thine is both ethically and religiously unnecessary, and also deflationary in that it suppresses vital realms of possibility for the relationship between God and man, flattening a dynamic, multi-dimensional world to a static, one-dimensional plane. The God-man relationship is not, or at least need not be, a zero-sum game—to insist otherwise is to succumb to the original temptation toward the original sin.

Relevant here are R. Soloveitchik's repeated polemics in *U-Vikkashtem mi-Sham* and elsewhere against the ideal of "*unio mystica*," the mystical goal of unity with God wherein man is entirely subsumed by the infinite divine. "Mystical philosophers long for immersion in the silence of absolute unity," and "aspire to overcome the variety and uniqueness of man's personality, recommending the negation of people's variegated mental and physical existence for the sake of attaining pure, simple unity."[60] He responds: "But Judaism, directed by the Halakhah, says, 'This is not the way'. . . . Man does not cleave to God by denying his actual essence, but, on the contrary, by affirming his own essence." There is room in the presence of God for man in all his multi-colored uniqueness. Cleaving to God and acknowledging His awesome mastery, far from requiring

59. Message Of His Holiness Pope Benedict XVI For The Twenty-Sixth World Youth Day (2011), http://www.vatican.va/holy_father/benedict_xvi/messages/youth/documents/ hf_ben-xvi_mes_20100806_youth_en.html
60. *And From There You Shall Seek*, 87.

the nullification of man's selfhood, in fact achieved precisely through "the full realization of his personality" and man's "fulfilling his own essence."[61] To be clear, not just any self-realization and fulfillment will serve as media for cleaving to God, but only those properly bounded by man's recognition of God's greatness and ultimate sovereignty; to the extent that it exhibits "prideful, insolent independence,"[62] man's self-affirmation surely wins no favor with God. But then we have precisely our thesis: Man's autonomous self-assertion is hallowed if and only if it is duly, dialectically balanced with humility, submission, and sacrifice.

The point is not to deny that God's greatness *could* obliterate man's personal existence. On the level of principle, R. Soloveitchik would agree with Tillich, Leibowitz, and the mystics that man's autonomous standing should indeed be crushed by the very being of the omnipotent Creator. What he insists, however, is that God graciously elects to "constrict" Himself, thereby allowing for man's independent existence and freedom.[63] God, at a point in history, lovingly addresses man as a thou, which enables man to gradually become the sort of person capable of thou-regard. Were God to assert Himself fully, He would, as the snake said, be a demonic (if justified) tyrant, denying autonomous subjectivity to any being other than Himself. But because God is truly good and beneficent—the ultimate ethical personality—He willingly and graciously modulates His own self-assertion in calling forth the autonomous subjectivity of man independent. Man, for his part, is simply called upon to reciprocate: to affirm his personality in relation to, rather than conflict with, the ultimate personality of God In other words, to resist temptation and prove the snake wrong. The point, again, is that for God and man both, autonomy and sacrifice are rightly understood as dialectically, developmentally complementary rather than flatly contradictory concepts. Love precipitates love.

Sacrifice and Relational Autonomy

R. Soloveitchik's developmental narrative reaches a climax with the story of Abraham. Consistent with what we have seen to be a hallmark of his philosophy, the Rav here spares no ink in emphasizing the autonomous, independent, and virtuously self-sovereign character of the first Jewish

61. Ibid., 89.
62. Ibid.
63. See *And From There You Shall Seek*, 63.

patriarch. Abraham is colorfully depicted in almost Kerouakian terms; freely roving the landscape with God as a fellow, he is as a charismatic personality, "anarchic, freedom-loving, and anti-authoritarian," and "prefers spontaneity to artificiality, improvisation to routine."[64] To be sure, Abraham's version of anarchy is not to be confused with a crude lawlessness, as he is profoundly devoted to an ambitious moral law, purpose, and destiny. R. Soloveitchik stresses, however, that, at least for a time, this commitment involved no heteronomous coercion or submission to external authority. "As a free personality, he goes out to meet the moral law with his full collected being; he chances to find it in himself and to consciously adopt it. . . . God encroaches not upon his personal freedom; on the contrary, God helps him to develop his moral spontaneity and creativity."[65]

But Abraham's free-spirited revelry and congenial comradeship with God, representing a significant, definitive stage in his religious formation, were to meet a formidable challenge in the *akedah.* By all appearances, God's commanding Abraham to slaughter Isaac was a radical affront to any sort of human autonomy and self-determination; if there is anything man's moral conscience can determine on its own, it is that one should not murder innocent children in cold blood. God's enjoining Abraham to do so, then, demanded of Abraham that he forfeit full allegiance to his personal moral sense in submissive concession to the dictates of an external authority. In other words, it would seem that a central import of the *akedah* story is the blunt rejection of human moral autonomy. This reading has enjoyed an enthusiastic champion in David Hartman, who has in a variety of contexts asserted that the *akedah* involved not only the sacrifice of Isaac, but of Abraham's ethical personality as well. The episode could not but leave Abraham with a crushed moral spirit and a deadened conscience, less independent, spontaneous trailblazer than submissive, docile servant. For Hartman, lending the *akedah* a prominent place in the Jewish worldview is liable to entail humanity's lamentable resignation to servile obedience and the complementary forfeit of any independent moral conscience or personality. Hartman, in contrast, prefers "an understanding of the covenantal relationship between God and Israel in which the fullness of the human person is affirmed."[66]

64. Ibid., 152.
65. Ibid.
66. David Hartman, *Israelis and the Jewish Tradition: An Ancient People Debating its Future* (New Haven, CT, 2000), 148.

Like Hartman, R. Soloveitchik does not shrink from acknowledging the starkly heteronomous character of the episode, writing that the God of the *akedah* appears as a "master to whom man is enslaved and who almost ruthlessly lays claim to the entirety of human existence," and that God's command meant the "absolute surrender of the servant." Accepting this premise, it would be natural to expect, with Hartman, that the experience would crush Abraham, leaving nothing in its wake but a submissive servant with no will or spirit of his own. In place of the mutual, two-party covenant, we would have only the exclusive, unilateral dominion of God. But R. Soloveitchik, affirming the philosophical insight we have here worked to identify, strikingly says just the opposite:

> The *akedah* became indeed the motto of the covenant and its symbol. . . . From then on, the covenant spelled mutual, inherent, all-inclusive belonging. Man sacrificed himself to God, and God dedicated himself to man. . . . Earlier promises were cast in a new light. Instead of the primitive covenant which embodied a mere utilitarian agreement like any other treaty negotiated between two individuals, a new covenant came into being, a covenant of an existential community of God and man.[67]

Abraham's gesture indeed represented dramatic submission to God's authority, but it was precisely that readiness for sacrifice and the total, unconditional commitment it expressed that made for a true, full-blooded relationship of mutuality between man and God—for a genuine covenant. Far from spelling the forfeit of his independent ethical personality, it was precisely the demonstration of humble surrender that crystallized in Abraham the personal moral adequacy and responsibility that are the hallmarks of covenantal life. The *akedah* indeed could have been the end of human moral autonomy, but Abraham's example shows it does not have to be that way. God is, and people can be, better than that.

Centrally for R. Soloveitchik, not only ethical judgment but the cognitive gesture in general must be redeemed through a cathartic recognition of its proper limits.[68] Without compromising the human capacity for intellectual achievement, and while committed to the majestic advancement of scientific endeavor, the redeemed mind acknowledges that the foundational mysteries of being itself will always surpass the understanding of the human subject. For R. Soloveitchik, reason cannot on its own comprehend reality as it is in itself, and therefore its

67. *The Emergence of Ethical Man*, 157 n. 2.
68. See "Catharsis," *Tradition* 17, 2 (1978): 37.

attempt to do so will of necessity be an imperial, self-assertive gesture. In encountering reality, reason "adapts it to its own needs" and "sculpts the 'given' with the chisel of categorical concepts so as to prepare it for scientific understanding."[69] In subjecting reality to compliance with categories and systems of its own construction, the human mind perpetrates an act of violence against the world; it in a significant sense "eliminates its own object."[70]A holistic and morally wholesome cognitive approach, therefore, is one which is vulnerably receptive to the fullness of reality, a world which heteronomously "fills our consciousness, enchants us with its variety of tones and colors, encompasses us completely, oppresses us with all the burdens of otherness, and amazes us with its size and force."[71] Hans Kelsen expressed the submission and heteronomy inherent in the experience of cognizing subject-independent reality: "The relationship between the object of cognition, the absolute, and the subject of cognition, the individual human being, is quite similar to that between an absolute government and its subjects . . . the subject of cognition, totally determined in his cognition by heteronomous laws."[72] It follows that the complete and veridical appreciation of reality on the part of man demands that he concede the limits of his intellect, renounce his imperial attempt at cognitive control, and humbly submit to the external authority of an autonomous world. Regarding cognition in general and moral thinking in particular, R. Soloveitchik insisted that the humanly wholesome approach is one in which the individual person both affirms his own intellectual autonomy and duly respects its proper limits, reverently beholding a reality of which he is not the author. It is not that independent rationality is no virtue, but that "The virtues of independent rational agency need for their adequate exercise to be accompanied by . . . the virtues of acknowledged dependence."[73]

R. Soloveitchik, then, essentially grants Hartman's premise but rejects his conclusion. With Hartman, Soloveitchik endorses a view of

69. *And From There You Shall Seek*, 14.
70. *The Halakhic Mind: An Essay on Jewish Tradition and Modern Thought* (New York, 1986), 88. The insight is central to R. Soloveitchik's project in *The Halakhic Mind* of developing a non-reductive philosophy of religion with due regard for religion's autonomous character.
71. *And From There You Shall Seek*, 10.
72. Hans Kelsen, *What is Justice?: Law and Politics in the Mirror of Science* (Berkeley, 1971), 202.
73. Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (Chicago, 2001), 160.

the covenant between man and God wherein "the fullness of the human person is affirmed." Where the two differ is in their respective evaluations of the implications of an *akedah*-like concession to authority. For Hartman, the sort of submission exhibited by Abraham at the *akedah* can only be antithetical to the affirmation of man and entails the forfeit of any worthy covenant; for R. Soloveitchik, it is precisely in and through such self-sacrificial reverence that man may properly realize his potential as an ethical personality and flourish in true covenantal mutuality and relationship. It may take an Abraham, but the ultimate sacrifice can consummate the ultimate partnership. The insight can be generalized: So long as we zealously refuse any imposition on our autonomy, avoiding any submission of ourselves in full commitment to an other, we will remain deprived of "existential community," mired instead in the arid sands of utilitarian exchange. But with genuine sacrifice comes authentic relationship, and with authentic relationship comes the virtuously autonomous ethical personality realized.

Conclusion

It is well known that in certain of the R. Soloveitchik's later essays, the dialectical tension of man's torn existence appears as a permanent, intractable feature of contemporary religious life. Sometimes, a retreat may be the prologue before a resumed march toward triumph, but sometimes a defeat is just that; sometimes, Moses is denied passage into the Promised Land.[74] This is certain. But surely we never supposed that man would travel solely on the breezy lanes of eudaemonic tranquility, that he would enjoy the bliss of paradise unmarred by tragedy and defeat. The facts of life are plain to the eye, and they are often plainly tragic—betraying the crude realities of humbling failure, pain, and suffering, repelling any attempt at explanation or resolution toward some higher theodicizing harmony.[75] Our question, however, was not whether these facts obtain in human experience, but whether or not R. Soloveitchik articulated a systematic and critical philosophical framework for integrating and meaningfully processing those facts within a broadly affirming vision of human life—and that, I have argued, he did and did compellingly.

74. "Majesty and Humility," *Tradition* 17, 2 (1978): 37.
75. Cf. R. Soloveitchik, *Kol Dodi Dofek: Listen–My Beloved Knocks*, trans. David Z. Gordon, ed. Jeffrey Woolf (New York, 2006), 4.

The point here as throughout is that you shouldn't judge a narrative by its ending, or indeed by any isolated point along the way. Sometimes, the journey matters as much as the destination; at the very least, a destination simply is no destination without a journey leading there. On R. Soloveitchik's account in *The Emergence of Ethical Man*, the achievement of ethical personality out of environmental embeddedness and demonic impulsiveness is best described not as a problem's solution, but as an organic, dialectical emergence. Autonomy and submission are not fixed in an event of static harmony, but are to be partnered in a dynamic process of progressive integration; the conflict is less resolved than *redeemed*, and redemption is necessarily a development in time, a purposive evolution of life. Such redemption is never a *fait accompli* but always an ongoing challenge, a project the active pursuit of which animates our progressive flourishing as authentic human persons. Or, as the Rav would say, the realization of ethical personality is a matter not of fate, but of destiny.[76]

76. Thanks go, in an order unreflective of rank or comparative valuation, to Stuart Ozar, Lauren Steinberg, Michael Pershan, Chumie Juni, Shalom Carmy, Menachem Rosenbaum, Meira Mintz, David Shatz, and the anonymous referee for insightful comments and guidance.

ARNOLD LUSTIGER

The Kabbalistic Underpinnings of U-vikkashtem mi-sham

That Rabbi Joseph B. Soloveitchik *zẓ"l* had a huge impact on Jewish thought in the twentieth century and beyond is so obvious to the readership of this journal that repeating this assertion borders on tautology. However, given the monumental significance of his *oeuvre*, it would seem that we should pay extra attention to the essay that the Rav himself felt was his most important.

The Rav maintained that *U-vikkashtem mi-sham* "surpasses [*Ish ha-Halakhah*] in substance and form."[1] Rabbi Shalom Carmy reports that the Rav regarded *U-vikkashtem mi-sham* as his most important theological contribution.[2] Rabbi Reuven Ziegler, in his magisterial work *Majesty and Humility: The Thought of Rabbi Joseph B. Soloveitchik* provides this remarkable background:

> His son-in-law and disciple, Rav Aharon Lichtenstein, describes the circumstances of its writing: "He wrote it as one possessed. At times he

1. Rabbi Joseph B. Soloveitchik, *Community, Covenant and Commitment: Selected Letters and Communications* : ed. Nathaniel Helfgot (New York and Jersey City, NJ, 2005), 322.
2. Reuven Ziegler. *Majesty and Humility: The Thought of Rabbi Joseph B. Soloveitchik.* (Boston, Jerusalem, and New York, 2012), 344.

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> sat down to write in the evening, and he would continue without stop till dawn. [His wife] z"l, concerned for his health, would object, 'Why? Can't it wait until tomorrow?' But he, deep in spiritual and emotional struggle, remained adamant." [3]

Yet, notwithstanding the importance that the Rav attributed to this essay, many have pointed out one serious difficulty at its very heart. The work lays out a process whereby the human being can attain *devekut*, or "cleaving" with God. The epistemological basis for this process is a concept known as *aḥdut ha-maskil ve-ha-muskal*—"the unity of the Knower and the Known." The editors' introduction to the English translation of *U-vikkashtem mi-sham* [4] summarizes this esoteric idea as follows:

> In many instances of human knowledge—for example, "I know that the table is solid"—there is a differentiation between the knower, the subject, and the known, the object. Even in a statement like "I know that I exist," I split my personality, as it were, between the knowing subject and the known object. For God, however, as explained by Maimonides in the Mishneh Torah, there is a perfect unity—the knower is one with the known and with the knowledge. Further, God's knowledge of the world is one with knowledge of Himself, for the world cannot exist separately from God. The world is not an independent object.
>
> The thesis that the knower is one with what is known is expounded by Maimonides in *Hilkhot Yesodei ha-Torah* (2:10) with reference to God, and in *Guide of the Perplexed* (1:68) with reference to the human being. There is, to be sure, a certain type of knowledge in which one merely "photographs" what is known, with no active, creative input. But in other cases, the sort the Rav is interested in, cases of active, creative knowledge, the knower unites with the known. "When one grasps the intelligible essence of an entity, one penetrates it and unites with it. . . ." When the individual unites with the world, he also unites with his Creator. For the world, the creation of God's thought, is the object of both God's knowledge and human knowledge. "By knowing the world the individual knows his Creator and cleaves to Him," for "man and God are united in knowledge of the world." God is united with the world, man is united with the world, and man is thus united with God.

The Rav's employment of this concept,[5] and its central role in

3. Ibid.

4. David Shatz and Reuven Ziegler, "Introduction," Rabbi Joseph B. Soloveitchik, *And from There Shall You Seek,* trans. Naomi Goldman (New York and Jersey City, NJ, 2008), xxv. All quotes and page references from *U-vikkashtem mi-sham* in this paper are taken from this translation.

5. The Rav's invocation of *aḥdut ha-maskil ve-ha-muskal* was not limited to

the essay, confront those who dissect the Rav's philosophical body of work with a major dilemma. "The unity of the knower and the known" is fundamentally an Aristotelian concept, and although the idea was expanded by Maimonides, this concept has long been considered obsolete by the modern philosophical community. The difficulty lies with the idea that when one grasps the intelligible essence of an entity, one penetrates it and unites with it. The Rav, however, citing a basic tenet of Kantian thought, has argued repeatedly that the essence of an entity is in fact unintelligible and cannot be grasped.[6]

The problem has resulted in no small level of cognitive dissonance for some of the Rav's most prominent students:

⁓ *Shalom Carmy*: I cannot imagine the Rav, in any of his major philosophical works. . . resting so much on a consciously archaic philosophy.[7]

⁓ *David Shatz*: R. Soloveitchik's enlistment of the principle of the identity of the knower and known . . . is problematic on several counts. . . . However common the principle was in medieval and kabbalisic thought,

U-vikkashtem mi-sham. The idea formed a central part of a number of lectures presented by the Rav at Yeshiva University. In 1971 the idea was discussed in detail in a lecture entitled *On the Nature of Man* (later summarized in *Shiurei Harav: A Conspectus of Public Lectures of Rabbi Joseph B. Soloveitchik*, ed. Joseph Epstein [New York,1974], 68-70) and in more detail in *Noraos Harav,* Volume 15, prepared and edited by B. David Schreiber [Lawrence, NY, 2005]) as well as a second lecture in 1974 titled *Torah and Humility (Shiurei Harav,* 34-37). The idea appears yet again in "*Al Ahavat ha-Torah u-Ge'ulat Nefesh ha-Dor*," in *Besod ha-Yaḥid ve-ha-Yaḥad*, ed. Pinchas Peli (Jerusalem,1976), 410.

6. The Rav, in fact, makes this argument in *U-Vikkashtem mi-sham* itself: "Aristotelian physics attempted to explain reality through its true, qualitative essence. But it failed and misled people for many centuries, because it led them to believe sincerely in the possibility of intellectual enlightenment about qualitative being. . . . The deeper truth that has been revealed to them is that they must give up the vain attempts of the ancients to understand the essence of phenomena, and concentrate instead on creating abstract constructions composed of mathematical formulas which parallel concrete objects." *From There Shall You Seek*, 14. See also "*Mah Dodekh mi-Dod*," in *Be-sod Ha-Yaḥid ve-ha-Yaḥad*, ed. Pinchas Peli (Jerusalem 1976), 221. See Aviezer Ravitzky, "Rabbi J.B. Soloveitchik on Human Knowledge: Between Maimonidean and Neo-Kantian Philosophy," *Modern Judaism*, 6 (2), 157-188 for his attempt to resolve this problem, and cf. David Shatz, "Science and Religious Consciousness in the Thought of Rabbi Joseph B. Soloveitchik," in Shatz, *Jewish Thought in Dialogue*, (Boston, 2009), 145-54, who points out difficulties in Ravitzky's approach. See also Dov Schwartz, *Haguto ha-Pilosofit shel ha-Rav Soloveitchik* (Ramat Gan, 2008), 2:145-149.

7. Shalom Carmy, "On Cleaving as Identification: R. Soloveitchik's Account of *Devekut* in *U-Vikkashtem mi-sham*," *Tradition*, 41, 2 (Summer 2008), 107.

the equation is obscure and not adequately justified in the modern epistemologies on which R. Soloveitchik builds.[8]

– *Reuven Ziegler*: Anyone who—like the Rav—relates to the Rambam with the utmost respect and seriousness must confront the question of his philosophical datedness. [9]

The puzzlement is palpable. Why would the Rav rest so much of his thesis on a philosophically outmoded theory in the essay he considered his most important?

Natural Consciousness and Revelational Consciousness in Naḥmanides

What motivated the Rav to assign *aḥdut ha-maskil ve-ha-muskal* such a pivotal role in this essay? On one level, the answer is simple. Both R. Ḥayyim of Volozhin in his *Nefesh ha-Ḥayyim* (6:4) as well as the *Tanya* (chapter 2) cite *aḥdut ha-maskil ve-ha-muskal* as the path to achieve *devekut*, and the Rav was obviously keenly aware of the precedent set by these earlier works. However, these works are fundamentally kabbalistic and not philosophical; the Rav would not simplistically force-fit others' kabbalistic ideas into an otherwise philosophical work.

It is therefore important to understand that *U-vikkashtem mi-sham* contains a strong kabbalistic undercurrent. *U-vikkashtem mi-sham* lays out a process to reach *devekut* by employing not only philosophical but kabbalistic concepts. We will now establish how *aḥdut ha-maskil ve-ha-muskal* stands at the center of a Kabbalistic subtext in this essay.

At its outset, *U-vikkashtem mi-sham* sets up a confrontation between two conflicting human drives: the "natural consciousness" (*todaʿah tivʿit*) and the "revelational consciousness" (*todaʿah gilluyit*). Through the natural consciousness, the human being searches for God's presence in his encounter with nature, as he attempts to demonstrate the sublime truth of the verse: *the heavens declare the Glory of God, the sky proclaims His handiwork* (Ps. 19:2). He tries to hear the whisper of the Master of the Universe in the bubbling of every crystal spring, in every sunrise and sunset.

8. Shatz, "Science and Religious Consciousness," 153.
9. Ziegler, 370.

Yet, God is not clearly revealed. He is hidden from view: "Behold I come to you in a cloud" (Ex. 19:9).[10] God is in close proximity to human beings, but an obscuring cloud intervenes. The cloud is any manifestation of nature or the human being that promotes the illusion that the world operates autonomously, concealing the reality that God is responsible for all that occurs on earth. The illusion that the world functions autonomously without Divine involvement is a direct result of sin. Correspondingly, the *Shekhinah* or Divine Presence resides in transcendence, removed from creation. "Your sins have separated between you and your God" (Is. 59:2). Were people not led astray by sin, they would sense God in every breath, in the very rhythm of life. The natural consciousness therefore fails to fulfill humanity's quest for God to unambiguously reveal His presence.

Suddenly, at the height of the human being's confusion and when he least expects it, God overpoweringly reveals Himself at Sinai. This experience produces the revelational consciousness.

Let us pause here for a moment.

The kernel for the idea of a natural and a revelational consciousness can be found in the Rav's explanation of a passage from Naḥmanides' commentary on the Torah. In his (unpublished) 1977 *Yarḥei Kallah* in Boston, the Rav spent much time explaining the phrase: *le-shikhno tidreshu u-vata shamah:* "you shall seek his habitation and come there" (Deut.12:5). In the first part of the commentary, Naḥmanides explains that the adverb "there" refers to the future *Beit ha-Mikdash*. God does not tell the Children of Israel where the Temple is to be built. Instead God insists that they search for its future location by honing a sixth sense, to intuit the holiness of place. However, Naḥmanides then veers from simple *peshat* and segues into *sod*, signaling his intentions by introducing the words *ve-al derekh ha-emet* (lit."via the way of truth").[11] Naḥmanides now introduces a new subject for the adverb "there":

ועל דרך האמת לשכנו תדרשו , לכבודו תדרשו, ובאת שמה, לראות את פני האדון ה' אלקי ישראל וממנו אמרו חכמים שכינה.

10. On the cloud as a symbol of God's unknowability, see also Maimonides, *Guide of the Perplexed* 3:9.

11. In another *Yarḥei Kallah* on the topic of shofar, the Rav again carefully parsed a portion of Naḥmanides' commentary on the words *zikhron teruʿah* that was once again introduced by the words *al derekh ha-emet.* Naḥmanides provided a Kabbalistic interpretation of the *miẓvah* of shofar based on the *sefirot* of *gevurah*, *hesed* and *tif'eret.* See *Noraos Harav*, 6, prepared and edited by B. David Schreiber (Lawrence , NY, 1997), 297-312.

> Via the way of truth [Kabbalistically], *you shall search for his dwelling* [means] you shall search for His glory—*and go there* [means] to see the face of the Master, the God of Israel, and from here [the word לשכנו] the Rabbis derived [the term] שכינה.

Here now is an abridged and edited transcript of the Rav parsing this brief section of commentary.

> *Kevod* (Glory) always suggests *Malkhut*, as in the phrases *Kevod Malkhuto, Hod Malkhuto. Le-shikhno tidreshu* means you should search for God at the level of *Malkhut*.
>
> *Ha-Kadosh Barukh Hu* reveals Himself to us through the universe and sometimes outside and beyond the universe. *Malkhut* or *Shekhinah* means the presence of God in the Universe, in the world. Naḥmanides explains that man must search for God within the world; in every experience he is confronted with, he must recognize the presence of the Almighty. *Leshikhno* means for His abiding, for His residing, for His being present; search His presence right here and now. *Le-shikhno tidreshu*: search for God and you will find Him. To fulfill the *le-shikhno tidreshu* imperative, the Torah imposed *birkhot ha-nehenin* [blessings on food]. In every drink of water, in every bite of an apple, in every reflection of light, God reveals Himself.
>
> However, if you do come to the realization that He is present in every experience, you will not stop there. *U-vata shammah*—you will come a little further. Where is the *shammah*? *Lir'ot et penei ha-adon Elokei Yisrael*. You will be confronted by God from outside and beyond the universe. *U-vata shamma*: you will come further than your destination, *lir'ot et penei ha-adon Hashem Elokei Yisrael*: to see the God who revealed Himself to Israel at Sinai. *Va-yered Hashem al Har Sinai*, [and God descended on Mount Sinai (Ex. 19:20)]—from outside of the world, from beyond the world, from His transcendental abode. The revelation at Sinai is not represented by *Malkhut* but by the *Malka Kaddisha*.

The Rav further explained that Friday night is dedicated to *Shekhinah*, as we invoke Creation within our *Maʿariv* prayer ("You sanctified the seventh day . . . as the culmination of the creation of heaven and earth . . . then the heavens and earth were completed . . . "). The theme of Shabbat morning is God in transcendence, when we invoke Mount Sinai in the *Shaḥarit amidah* ("... a crown of glory You placed on [Moses'] head when he stood before you on Mount Sinai. He brought down in his hands two tablets of stone. . . ").[12]

12. Since the passive *Shekhinah* hidden in creation is the theme of Friday night, the Shabbat, which derives its holiness directly from God, is in the female gender

In light of the Rav's explanation of this passage, we can posit that the natural consciousness described in *U-vikkashtem mi-sham* is a phenomenological portrait of man's response to the *Shekhinah*, while the revelational consciousness is man's response to the *Malka Kaddisha*.[13]

Kabbalistic eschatology sees the *Shekhinah* uniting with the *Malka Kaddisha,* the lower *sefirah* of *Malkhut* uniting with the upper *sefirot* of *Keter/ Hokhmah.* In a course given at the Bernard Revel Graduate School of Jewish Studies in the 1950's, the Rav expanded this idea as he explained the Kabbalistic significance of the three Shabbat meals.[14]

> On the night of Shabbat, the *Shekhinah* (*Deus mundo*) arises from the depths of thinghood. Haunted by loneliness and frightened by the muteness of mechanistic existence, it is transformed to the bright light of a personalistic existence. The *Shekhinah* takes the upward path toward merger with the *Malka Kaddisha*. Shabbat day belongs to *Malka Kaddisha*, God as living master of the universe, the *Deus Persona*, as experienced through the apocalyptic vision of the moral law. While in the weekdays there is passivity to the muteness of the *Shekhinah*, on Shabbat, the *Deus Persona* descends from the infinite recesses to meet the *Shekhinah*.
>
> The great eschatological vision of the union between Shekhinah and Malka Kaddisha is represented on Shabbat afternoon.[15] This is the Ze'ir Anpin, the "Little Faces" represented by the third meal which takes place in the twilight of the day.[16] The last meal is of joy but also parting because the unification of Shekhinah with Malka Kaddisha is never realized: it is in the realm of eschatology, a dream for the distant future.

(*ve-yanuḥu vah*). The theme of Shabbat morning is the active, revealed *Malka Kaddisha*, and the Shabbat is therefore in the masculine gender (*ve-yanuḥu vo*).

13. A significant difference between Naḥmanides' formulation and *U-vikkashtem mi-sham* is in their respective portrayals of man's response to the natural consciousness. While in Naḥmanides the natural consciousness can lead the individual to an unequivocal recognition of God's existence, in *U-vikkashtem mi-sham* the natural consciousness leads to a conflicted conclusion. Furthermore, to Naḥmanides, God's revelation is a direct result of the success of the natural consciousness in revealing God's presence, while in *U-vikkashtem mi-sham* this revelation occurs in the wake of its failure.

14. The following quotation is based on the unpublished lecture notes of Rabbi Robert Blau.

15. This unity is the theme of the *Shemoneh Esrei* of *Shabbat Minḥah (Attah eḥad ve-shimkha eḥad*) and the prepositional phrase referring to Shabbat in the plural (*ve-yanuḥu vam*), reflects the merger.

16. Referring to the *Shabbat zemer*, *Atkinu Se'udata,* recited during *se'udah shelishit* (the third Shabbat meal). The Rav did not explain the significance of the term "Little Faces."

Setting the Stage for *Aḥdut ha-Maskil ve-ha-Muskal*

As *U-vikkashtem mi-sham* continues, the human being is overpowered by the Sinai experience and shocked by the strictness and inflexibility of the Sinai message. He oscillates between fear and awe, repulsion and attraction, as the revelational and natural consciousness draw him in different directions. Although reconciliation is initially found through *imitatio Dei*, the path does not end there, but rather in *devekut,* the most exalted stage of religious consciousness.

In an important chapter that seems to have been glossed over, the Rav argues that the model for *devekut* between man and God can be found in the union of the *Shekhinah* with the *Malka Kaddisha*. The following is an excerpt from chapter 11 of *U-vikkashtem mi-sham*:

> Prophecy proclaimed that the eschatological mission of Judaism is the full realization of the singular name, venerated in the councils of the holy ones: "On that day the Lord will be One and His name will be One" (Zech. 14:9). . . . The Kabbalists, who hear the weeping of the downcast *Shekhinah*, had this vision of the End of Days: "He said to the moon that it would regain its glorious halo" (prayer of *kiddush levanah* [sanctification of the new moon]). The *sefirah* of *Malkhut* (kingship)—the *Shekhinah* that unites with the world-—will rise to the heights of the *sefirah* of *Keter* (the crown). "For the sake of unifying the Holy One, Blessed Be He [i.e., the *Malka Kaddisha* – A.L.], and His *Shekhinah*, hidden and unknown,[17]

17. The Rav actually omitted a phrase from this kabbalistic meditation at this point: the "le-shem yiḥud"—"to unite the Name *yod-hei* and *vav-hei* in complete unity (for the sake of all Israel)." The meaning of this omitted phrase can be inferred from an observation that the Rav made elsewhere regarding the last two lines of the *Ashrei* prayer. Although most of *Ashrei* is taken from Psalm 145, the last line is taken from Psalm 115. In his comment, found in R. Ẕevi Yosef [Herschel] Reichman, *Reshimot Shi'urim al Massekhet Sukkah* (New York, 1989), 235-36, the Rav explains the reason for the appended verse as follows:

> "My mouth will declare the praise of Hashem *(yod-hei-vav-hei),* and all flesh will bless His Holy Name (Ps. 145: 21)." The complete four-letter Name represents God in the messianic era when He will be universally recognized. At that time, God's praise declared by David, the Psalmist, will ultimately be shared with the rest of humanity. However, "we (Israel) will bless God (*yod-hei*) from this time and forever . . ." (Ps. 115:18). Prior to the messianic era, while evil still exists, God is represented only by the two letters *yod-hei*, because His Name and sovereignty on earth remains incomplete. (See Rashi on Ex. 17:16.) Israel alone among the nations bless Him now despite His hidden countenance.

In light of this explanation, *yod-hei* represents the hidden *Shekhinah*, *vav-hei* represents the *Malka Kaddisha*, and *yod-hei-vav-hei* represents their eschatological union. As God becomes One, His Name also becomes One.

> for the sake of all Israel," whisper the Kabbalists just before they perform a commandment. The agony and nightmare of the creation, its loneliness and desolation, are transferred to the bosom of the Infinite and are transformed, as it were, into the mysterious pains of the *Shekhinah*. . . . The *Shekhinah* itself, as it were, is in need of redemption, and man prays for the redemption of the *Shekhinah*, with which he too will be redeemed.
>
> Those who instituted the *Kedushah* [the communal prayer whose theme is sanctification] added a prayer to Ezekiel's prophecy [of "Blessed be the glory of the Lord from His place," Ezek. 3:12]: "From His place may He turn toward us with compassion," "From Your place, our King, may You appear and rule over us." When will You leave Your place, which is separated and removed from the creature you made, and gather us unto You? Jewish thought interpreted the foundational principle of divine providence as cleaving to God, as the desolate reality holding fast to the living, eternal Reality. . . . In the eyes of the Halakhah, this cleaving is not a vague hope sunk in some faraway eschatology, but a clear notion that can be grasped by a halakhic apprehension and whose fulfillment is rooted in the real present. The eschatological "tomorrow" is linked by the Halakhah with the simple, dismal "today."[18]

The Rav argues that, in an attenuated sense, the End of Days union between *Shekhinah* and *Malka Kaddisha* provides the model for *devekut* between God and the human being not in the indeterminate future but in the here and now.[19]

18. *And From There You Shall Seek*, pp. 82-83.

19. Note that the Rav regularly applied messianic/eschatological prophetic statements to the individual in contemporary times:

> The curse of "and the Lord scattered thee among the nations" refers not only to a nation, but can also apply to the individual sinner. His capabilities, his spiritual powers, his emotions and his thoughts are without internal cohesion; he has no single axis around which his personality revolves. For such a person repentance leads to "the ingathering of the exiles," meaning the reunification and concentration of the personality which has been shattered to smithereens as a consequence of sin. So says the second Rabbi of Lubavitch: "It is written: 'If any of thine be driven out unto the outmost parts of heaven, from thence will the Lord thy God gather thee' (Deut. 30:4) How the matter of ingathering applies to the individual self must be understood, for normally gathering and concentration pertain to the realm of the many. But Scripture spoke metaphorically in the phrase 'be driven out unto the utmost parts,' and the intention was the dispersion of the sparks of the light of the spirit (which is one) in many strange and very remote places, for 'God's light is man's soul' (Prov. 20:27). The human soul, born in God's image, is fathomless and it contains in itself vast areas in which its sparks and particles can be dispersed so that ingathering and concentration are necessary also with every individual and this is

In everyday language, we refer to people or items as subjects or as objects. For example, if one writes a letter, the writer is the subject. He or she is engaged in a creative activity, while the letter is a passive object, the item being acted upon. This simple concept is applicable to virtually anything in the world. On a metaphysical level, one can conceptualize the *Malka Kaddisha* as pure "subject": incorporeal intelligence. He acts and is not acted upon, He perceives and is not perceived, He is the knower and is not known. However, in the guise of *Shekhinah*, God is object. He is hidden in nature—in the Rav's words, He resides "in the depths of thinghood."

The union of *Malka Kaddisha* and *Shekhinah* can thus succinctly be described as the union of knower and the known. The subject-object dichotomy dissolves as God becomes One and His Name becomes One. The Aristotelian concept resonates pitch-perfect with the Kabbalistic.[20]

Once the Rav suggests that this Divine union is the model for *devekut* between man and God, he did not need to search far to find the metaphysical basis for such an idea. The principle as it relates to God Himself appears in Maimonides in the *Mishneh Torah*, in *Laws of the Foundations of the Torah*, while in the *Guide for the Perplexed*, Maimonides "expanded this principle, introducing it into the realm of man."[21] The Rav posits a means for the human being to achieve an analogous union in the parallel realm.

As explained earlier, the natural consciousness described in *U-vikkashtem mi-sham* is a phenomenological portrait of the human being's response to the *Shekhinah*, while the revelational consciousness is

the main point of the well-known phrase 'the ingathering of the exiles. . . .'"

There is great significance to this analogy which compares individual exile and the ingathering of the exiles of all of Israel in the political-geographical sense (to some extent, we see it happening now in our day, not exactly as prophesied, but there has occurred a beginning of the ingathering of Jews from all the remotest corners) to the idea of self-exile and the ingathering of the exiles in the metaphysical-spiritual sense as it applies to the sinner. Through repentance, the sinner also gathers together the dispersed sparks of his spiritual self in order to reintegrate his personality. Pinchas Peli, *Soloveitchik on Repentance*: *The Thought and Discourses of Rabbi Joseph B. Soloveitchik* (Jerusalem, 1980), 329-30.

David Shatz similarly notes that "while [the Rav] does refer to the notion of redemption in history, he often presents redemption as an event that takes place within the human psyche." ("A Framework for Reading Ish ha-Halakhah," in *Turim: Studies in Jewish History and Literature, Presented to Dr. Bernard Lander,* ed. Michael A. Shmidman [New York, 2007], 180). See, for example, Redemption, Prayer and Talmud Torah (*Tradition* 17:2 [Summer 1978]: 69) and *Family Redeemed*, ed. David Shatz and Joel B. Wolowelsky (New York, 2000), 73.

20. Presumably this is the reason that *aḥdut ha-maskil ve-ha-muskal* is specifically invoked as the basis for *devekut* in both *Nefesh ha-Ḥayyim* 4:6 and *Tanya*, chapter 2.

21. *And From There You Shall Seek*, 97.

the human response to the *Malka Kaddisha.* The Rav uses the Kabbalistic vision of the *Shekhinah-Malka Kaddisha* merger as a model for an analogous merger in the individual. Towards the conclusion of *U-vikkashtem mi-sham,* the Rav lays out the union of the natural consciousness as represented by the hidden *Shekhinah* and the revelational consciousness as represented by the revealed *Malka Kaddisha*.[22]

> The blurring of the gaps that separate the free personal moral law from the compulsory revelational command causes an experience of total freedom-- as if the divine commandment were identical with the demands of the creative rational consciousness. The commandment creates an uninterrupted passageway into secret spiritual foundations, and there man discovers that the revelational commandment actually expresses the longing and heart-stirrings of his hidden existence, which he had not been aware of until now. Man finds the revelational command within himself. Supra-rational necessity joins with the normative consciousness, and together they are absorbed into one ontological/supra-ontological consciousness. It is for this reason that the great Jewish sages were not tormented by the war against their instinctual drives, a war so common in the lives of the gentile sages. Devotion to religious life, even if it begins through compulsion, is maintained out of freedom, joy, and longing. "I will take pleasure in Your commandments, which I have loved; . . . this is my comfort in my needy state, as your words have given me life" (Ps. 119:47, 50). The revelational statutes are the individual's pleasures and sole comfort. He worships God out of love. [The act of] cleaving to God has absorbed into itself the absolute, supra-rational, supra-natural command.[23]

Devekut finds its ultimate realization in this fusion.

Acknowledgments

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22. See Lawrence Kaplan "*Motivim Kabbaliyyim Be-haguto shel ha-Rav Soloveitchik: Mashma'uttiyyim o Itturiyyim*?," in *Emunah bi-Zemannim Mishtannim*, ed. Avi Sagi (Jerusalem, 1996), 75-94. Kaplan argues that when the Rav employed Kabbalistic themes in his written works, he did so primarily as a homiletic device. Indeed, in specific cases he examines his point is compelling. However, in light of the extended quote from chapter 11 of *U-vikkashtem mi-sham* above and the analysis here, Kaplan's generalization clearly does not apply to *U-vikkashtem mi-sham*—Kabbalah lies at the very heart of this essay.

23. *And From There You Shall Seek*, 128-29.

EILEEN H. WATTS

Keeping the Faith: Aspects of Rabbi Joseph B. Soloveitchik's The Lonely Man of Faith *in Bernard Malamud's "The Magic Barrel"*

Some years ago in the pages of *Commentary*, Cheryl Miller and Julian Levinson debated Bernard Malamud's relevance. Miller offered a cultural explanation for why Malamud's fiction had faded from the literary scene, proposing that

> He fell from literary grace because his entire sense of the world was powerfully antithetical to the cultural ethos of the times. . . . How could a writer whose work was dedicated . . . to themes which could only be described as 'adult'—self-sacrifice, obligation, moral decency—have remained a vital figure?

Levinson countered that

> Malamud's enduring value consists [not in his moral exhortations, but] in forcing readers to imagine the encounter with the Other as an endlessly complex, potentially redeeming, though often frustrating trial.[1]

While Miller ironically put her finger on precisely why Malamud is relevant today, Levinson identified the purpose of those adult themes: to present us with "a moral challenge to open ourselves authentically to one another" in order to achieve redemption.

1. Julian Levinson, "Moral of the Stories," *Commentary* 126 (October 2008): 6.

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In the intervening years, and as if to validate Levinson's understanding of Malamud and our need for redemption, Rabbi Soloveitchik's 1965 essay *The Lonely Man of Faith*, which had already been published twice in book form, appeared in a new edition from Koren Publishers and OU Press in 2012, while The Library of America has just released two collections of Malamud's novels and short stories, coinciding with his centennial.[2] In her *New York Times Book Review* essay on the Malamud volumes, Cynthia Ozick suggests that sometimes "a veil of forgetfulness falls over the work" of a long-deceased writer.[3] I suggest that lifting that veil and reading Malamud through the lens of R. Soloveitchik's later essay reveals two men committed to finding paths to redemption through covenantal relationships with God or with other people. The Rav saw Man actively searching for the Divine; Malamud saw God seeking Man.[4] Both approaches, however, have the same purpose—to redeem Man from his loneliness. The Rav develops this concept through exegesis of Genesis' dual accounts of Adam's creation; Malamud does so by creating characters whose suffering is alleviated by apparently Divine intervention.

In brief, *The Lonely Man of Faith* proposes that the Bible's two descriptions of Man's origin establish two typologies, termed Adam the first and Adam the second (henceforth Adam I and Adam II), which in truth represent two halves of the human personality. The first is self-oriented, focused on the majesty of conquering nature by virtue of his intelligence; the latter is "other-" or community-oriented, focused on the humility and redemption inherent in a covenantal relationship with God. Read in this context, many of Malamud's characters unwittingly embark on a journey from an extreme self-absorbed Adam I toward a redeemed Adam II existence. This occurs when they embrace relationships with what appear to be God's messengers or proxies.

The goal of this study is to offer a theologically-based interpretation of the Jewish elements in Malamud's earlier, 1954 short story, "The Magic Barrel," a biblically-grounded approach to his

2. Rabbi Joseph B. Soloveitchik, *The Lonely Man of Faith*, with a foreword by Reuven Ziegler (New York and Jerusalem, 2012); Bernard Malamud, *Bernard Malamud: Novels & Stories of the 1940s & 50s*, ed. Philip Davis (New York, 2014); Bernard Malamud, *Novels and Stories of the 1960s*, ed. Philip Davis (New York, 2014).

3. Cynthia Ozick, "Judging the World," *New York Times Book Review* (March 16, 2014): 12.

4. Heschel describes both approaches in *Man's Quest for God*, (Santa Fe, 1954) and *God in Search of Man* (New York, 1955).

tropes of the suffering Jew and *schlemiel*, and an interpretation of Malamud's use of magic realism as a marker of his character's Adam the second-like desire for a covenantal relationship with God. *The Lonely Man of Faith* affords a new way to understand Leo Finkle, just as Freud, writing centuries after Shakespeare, offered another way to understand Hamlet. Of course, the Rav's universal typologies apply to many pieces of literature, by both Jewish and non-Jewish writers, precisely because the typologies are universal. However, this does not perforce diminish their value to exploring how they apply to and open up "The Magic Barrel." It seems to me that *The Lonely Man of Faith*'s specific applicability to Malamud's work, as opposed to other texts in which characters suffer existential crises, rests with the deeply religious strains of Malamud's best fiction, "The Magic Barrel" in particular.

Malamud's Jewish characters are not merely nominally or culturally Jewish, but seem to be invested in or become invested in Jewish observance and law. Leo Finkle is an extreme version of the kind of man that the Rav describes in his text, except that Leo does not know that God wants a covenantal relationship with him. The man suffers not so much because he is a *schlemiel*, but because he is struggling with how to move from the values of Adam I to the divine love of Adam II. Understanding "The Magic Barrel" in these terms reassigns the cause of Leo's suffering to his following the divine dictates given to Adam I and the cause of his redemption to following the divine dictates of Adam II, if indirectly, by loving another in order to love God.

To my knowledge, this is a unique interpretation of Malamud's tale of Leo Finkle, a Rabbi-in-training, and Pinye Salzman, a matchmaker hired to find Leo a wife in order to better his prospects for securing a pulpit. Leo finds each prospective bride wanting, but falls in love with a picture of a woman who turns out to be Stella, Salzman's daughter, apparently a prostitute. The story ends with Leo and Stella's meeting on a street corner, Salzman chanting *Kaddish* against a nearby wall.

In the sixty years since its initial 1954 appearance in *The Partisan Review* and its revised 1958 version in *The Magic Barrel*, critics have explored "The Magic Barrel"'s religious, literary, mythological, and artistic affinities, among other things. For example, Richard Reynolds applies to the tale the *Kaddish*'s earlier Talmudic association with a prayer for resurrection of the dead when the messiah arrives, thus reading the story's concluding *Kaddish* as a plea for Stella's resurrection

through Leo's love.[5] Bates Hoffer argues that the story is an allegory of the Torah's five-part structure, which exposes Leo as a law-breaker;[6] Marcia Gealy suggests that the tale is Malamud's adaptation of the Hasidic literary tradition;[7] and Stephen Bluestone contends that "The Magic Barrel" is a retelling of the Miltonic creation story, analogizing Leo to Adam *Kadmon*, Salzman to "Matchmaker-God of the Sixth Day," Lily Hirschorn to Lilith, and Stella to Eve.[8] Alternatively, Evelyn Avery sees Stella as the biblical Dinah.[9] Literary comparisons of Malamud's story include treatments of "The Magic Barrel" with Joyce's "The Dead";[10] with Cheever's *The House-breaker of Shady Hill* and James Purdy's *Color of Darkness*;[11] and with Hawthorne's *The Scarlet Letter.*[12] In addition, Michael Storey reads "The Magic Barrel" as a version of the Pan myth, the goat-god whose daughter, Iynx, is comparable to Stella,[13] and Robert Solotaroff and others have noted similarities between Malamud's story and Chagall's paintings.[14]

With deference to Sanford Pinsker's description of Leo, the "*schlemiel* as moral bungler," whose Jewishness is a only "a literary illusion,"[15] I believe that reconsidering Leo Finkle in terms of Adam I and Adam II offers a more forgiving, divine perspective on Leo's *schlemiel* status, his journey to redemption, and on the values he thought he was certain

5. Richard Reynolds, "'The Magic Barrel': Pinye Salzman's Kaddish," *Studies in Short Fiction* 1, 1 (Winter 1972): 101-102.
6. Bates Hoffer, "The Magic in Malamud's Barrel," *Linguistics in Literature* 2,3 (Fall 1977): 1-26.
7. Marcia B. Gealy, "Malamud's Short Stories: A Reshaping of Hasidic Tradition," *Judaism* 28,1 (Winter 1979): 51-61.
8. Stephen Bluestone, "God as Matchmaker: A Reading of Malamud's 'The Magic Barrel,'" *Critique: Studies in Contemporary Fiction* 41, 1 (Summer 2000): 403-10.
9. Evelyn Avery, "Abraham, Isaac and Jacob: Patriarchal Archetypes and Torah Values in Bernard Malamud's Fiction," *Modern Jewish Studies: A Special Issue, The Art of Bernard Malamud* 13 (2002): 18-29.
10. Mary Rose Sullivan, "Malamud in the Joycean Mode: A Retrospective on 'The Magic Barrel' and 'The Dead,'" *Studies in American Jewish Literature* 14 (1995): 4-13.
11. Martin Tucker, "A Pluralistic Place," *Venture* 3, 1-2 (1959): 69-73.
12. Theodore C. Miller, "The Minister and the Whore: An Examination of Bernard Malamud's 'The Magic Barrel,'" *Studies in the Humanities* 3,1 (October 1972): 43-44.
13. Michael L. Storey, "Pinye Salzman, Pan and 'The Magic Barrel,'" *Studies in Short Fiction* 18, 2 (Spring 1981): 180-83.
14. Robert Solotaroff, *Bernard Malamud: A Study of the Short Fiction* (Boston, 1989).
15. Sanford Pinsker, *The Schlemiel as Metaphor* (Carbondale, 1991), 79. For thorough explanations of Malamud's heroes as schlemiels, see Pinsker, 77-110, and Ruth Wisse, *The Schlemiel as Modern Hero* (Chicago, 1971), 110-18.

of. This approach also adds a new dimension to Malamud's suffering Jew. As the Rav points out, God *intends* man to shift from one Adamic typology to the other.

Leo's redemption occurs, then, as he embraces aspects of Adam II and achieves, if not a covenantal faith relationship with God, then at least a meaningful awareness of Him. In this way, R. Soloveitchik's philosophy of the human personality sheds a different light on Malamud's approaches to suffering (remaining Adam I-like by focusing on the self), to humanity (commitment to becoming Adam II-like by focusing on others) and to redemption (the act of becoming Adam II, transcending the self and entering into a covenantal faith relationship with another). In turn, these readings offer new explanations for why and how the Malamudian hero, who begins as a pitiful failure, can end as a redeemed *mensch*.

In this view, Malamud's major characters suffer as long as they adhere to Adam I's egocentrism and live only for themselves.[16] The moment they choose to move toward Adam II, to live for a person or entity external to themselves, they achieve their humanity. Redemption occurs only through the act of committing themselves to a covenantal relationship of faith with another, who, unbeknownst to the characters, plays the role of God in their lives. These frequently unsavory instruments of redemption turn the suffering, seemingly God-forsaken characters toward the Divine. Indeed, God haunts Malamud's characters vicariously, in the form of probationary angels, matchmakers, prostitutes, grocers, *Ḥasidim*, and assorted beggars. In the author's fiction, R. Soloveitchik's *homo religiosus* does not meet God; God meets him. Thus, Malamud's trope of the suffering Jew, whose anguish ends when he makes a leap of faith by committing himself to a typically nonrational idea, is an expression of the Rav's lonely man of faith. The problem is that these characters think first and embrace faith second.

For the Rav, this order is reversed. Precisely because "the terms 'reasonable' and 'unreasonable' belong exclusively to the realm of the *logos* and are therefore inapplicable to the act of faith," the intellect enters only *a posteriori*.[17] He argues further that emotion must precede

16. See, for example, the characters Frank Alpine in *The Assistant* (New York, 1957), Yakov Bok in *The Fixer* (New York, 1966), Seymour Levin in *A New Life* (New York, 1961), and Arthur Fidelman in *Pictures of Fidelman* (New York, 1969).

17. *The Lonely Man of Faith* (New York, 2006), 101, n. 1. The text of this edition is conveniently available on the website of The Rabbinical Council of America, at http://traditionarchive.org/news/article.cfm?id=105067.

rationalism also because feeling is not the result of intellection. Still more important is the Rav's linkage of feeling-thought-act. He explains:

> The faith gesture is not motivated by intellectual insights or convictions. . . . The Halakhic (legal) world of faith . . . [insists] that feeling become thought, and that experience be acted out and transformed into an objective event.[18]

Note that intellectualizing the faith gesture is critical to transforming it into an objective act.[19] Malamud's hapless characters begin with the rational, then accept the emotional, and then re-rationalize their new-found faith, converting it into an observable act. While R. Soloveitchik and Malamud seem to agree that if one accepts the emotional, the intellectual will follow, for the Rav, the key to a redeemed existence is oscillating between emotion and reason. In contrast, once Malamud's Jews make the faith gesture, intellectualizing it enables them to implement their redemption, and their stories end. Yet their suffering often coincides with their putting thought before faith.

Characters grapple with or stumble upon their humanity and redemption in *The Assistant*, *The Fixer*, *A New Life*, *Pictures of Fidelman*, and in some of the author's finest short stories, dramatizing his vision of how God seeks Man. In these works, when one is transformed from Adam I's loneliness and misery to Adam II's fulfillment

18. Ibid.

19. The picture is actually more complex, as an anonymous reader for this journal pointed out. For, in another passage, the Rav states that "The [faith] commitment is rooted not in one dimension,such as the rational one, but in the whole personality of the man of faith. The whole of the human being, the rational as well as the non-rational aspects, is committed to God. . . . The act of faith is aboriginal, exploding with elemental force . . . ." (*Lonely Man of Faith*, 94). Here, feeling does not precede thought but rather is part of a complex that includes thought and more. It is this entire volitional-affective-rational-passional complex that explodes with "elemental force" and takes up the entire human being. Afterwards, reason separates itself out, as it were, and reflects upon the faith gesture. But even if the Rav is not the precise opposite of Malamud, his notion of faith as a complex that includes emotion, and of thought succeeding feeling,in *some* way differentiates him from Malamud.

The anonymous reader noted, in addition, that although in the immediate context the Rav is speaking of halakhic thought rather than philosophical or scientific thought about faith, the fact is that, for the Rav, halakhic thought is an instance of (and the highest expression of), a *general* feature of philosophical thought, which is to transform subjective feeling into objective thought, as is made clear in *The Halakhic Mind* (Philadelphia, 1986), 65-80, 85. These pages mirror the note in *The Lonely Man of Faith*.

and redemption, the change is often accompanied in the text by magic realism to represent the mysterious force in play. According to Abrams's definition, magic realism appears as "a sharply etched realism representing ordinary events and descriptive details [interwoven] with fantastic and dreamlike elements, as well as with materials derived from myth and fairy tales."[20] All of these elements combine in "The Magic Barrel" to convert Leo Finkle from *schlemiel* to *mensch*.

To that end, the tale's first paragraph introduces Leo's affinities with Adam I:

> Not long ago there lived in uptown New York, in a small, almost meager room, though crowded with books, Leo Finkle, a rabbinical student at the Yeshiva University. Finkle, after six years of study, was to be ordained in June and had been advised by an acquaintance that he might find it easier to win himself a congregation if he were married. Since he had no present prospects of marriage, after two tormented days of turning it over in his mind, he called in Pinye Salzman, a marriage broker whose two-line advertisement he had read in the *Forward*.[21]

The rabbinical student values and possesses a great deal of knowledge, but after six years of study, is alone. Intellectually, he knows that to find a congregation, a community, he needs a wife—not as a soulmate or confidante, but as a means to a job. Leo thinks about his problem for two anguished days. He obviously dreads the prospect of finding a wife and is not socially adept at making friends. Thus, a few paragraphs later, we are told that "but for his parents . . . he was alone in the world"[22] Here, Finkle has all of the hallmarks of Adam I. He is alone, has conquered a particular kind of knowledge for six years, and views a wife, an Eve, if you will, as Adam I did—that is, as a means to filling and subduing the garden. As the Rav explains, Adam I was created "in the image of God, [and was directed toward] the functional and practical aspects of his intellect . . . to gain control of nature."[23] In this respect, Leo's narrow view of life (intense study and winning a pulpit) resonates with Adam I's focus on his mind.

However, even though Finkle's six years of intellectual rabbinical study alludes to the six days of creation, at the end of Leo's education,

20. M. H. Abrams, *A Glossary of Literary Terms* (7th ed., Boston, 1999), 196-97.
21. Bernard Malamud, "The Magic Barrel," in *The Complete Stories*, ed. Robert Giroux. (New York, 1997), 134.
22. Ibid.
23. *Lonely Man of Faith*, 12.

he has created nothing; Adam I, alone, has no value. The irony in Malamud's "creation story" is that his Adam must create himself by redeeming an other, a "thou." Like Adam I, the student searches for God in terms of "the accomplishments of the surface personality."[24] True to Adam I's personality, Malamud's character searches for dignity in a career, but it is as if his latent Adam II, who yearns for community and a love of God, has steered him toward the rabbinate and a congregation, a faith community. The Adam II in Leo Finkle, who confesses that he does not love God, dearly wants to do so. Enter Pinye, the angel-like matchmaker.

Pinye Salzman is as much a character of magic realism as he is a divine messenger. As the story unfolds, Pinye becomes increasingly ethereal, until he is "a skeleton with haunted eyes,"[25] his office "in the air."[26] We are told that Leo approves of the marriage-broker tradition "because it made practical the necessary without hindering joy."[27] This view of marriage is Adam I-like; there is no spiritual connection or love associated with it. Wedlock is merely a prerequisite for landing a job for Leo, and the joy here seems to refer to the purely physical. Yet for Pinye too, women are a commodity. After spreading out six cards, each filled with information on a potential mate, Pinye tells his client, "You wouldn't believe me how much cards I got in my office. . . . The drawers are already filled to the top, so I keep them now in a barrel."[28] Reducing women to "much handled cards" seems to echo the Rav's characterization of Eve the first, who is created with Adam I but with whom he has no existential, spiritual relationship. The Eve the first figure is simply a female helpmate who assists Adam in subduing the garden, or the prospective rabbi in obtaining a congregation.

Finkle finds the cards deficient, but, as the first Eve did for the first Adam, the cards serve a purpose for the first Leo. They teach him about what he does not want and about the importance of love. Understandably, Pinye's attitude toward his clients is also utilitarian. When Leo asks for photographs of the women, the matchmaker responds, "First comes family, amount of dowry, also what kind promises."[29] One does not fall in love with practical information about an

24. Ibid., 24.
25. Malamud, 143.
26. Ibid., 147.
27. Ibid., 135.
28. Ibid., 135.
29. Ibid., 136.

individual, but Pinye insists on describing three prospects: Sophie P., Lily H., and Ruth K. As their names indicate, these women represent, respectively, wisdom, purity, and mercy. When Finkle reports to Pinye that none of the women interests him, Salzman responds:

> In what else will you be interested . . . if you not interested in this fine girl [Lily H.] that she speaks four languages and has personally in the bank ten thousand dollars? Also her father guarantees further twelve thousand. Also she has a new car, wonderful clothes, talks on all subjects, and she will give you a first-class home and children. How near do we come in our life to paradise?[30]

Notice the absence of love, spiritual connection, or any kind of existential union in Salzman's definition of paradise. For the marriage broker, the Eden of Adam-and-Eve the first is paradise. In R. Soloveitchik's terms, Lily's virtues are those of the "surface-personality." She speaks four languages, has money, a car, and good clothes. These are Adam I accomplishments that bespeak an interest in mastering knowledge, acquiring wealth, and attaining dignity in society.

The scene in which Leo meets Lily Hirschorn, however, cuts through these surface values to awaken his Adam II qualities: the desire to love another and, surprising to him, to love God. He realizes this when, to make conversation on their blind date, Lily asks Finkle, "'How was it that you came to your calling? I mean, was it a sudden passionate inspiration?' Leo, after a time, slowly replied, 'I was always interested in the Law.'"[31] In this exchange, Lily wants to elicit a spiritual response. Naturally, she assumes that one's "calling" to serve God occurs as the Rav describes it:

> [As Elijah transformed Elisha while the latter] was tilling the soil, he encountered God and felt the transforming touch of God's hand. The strangest metamorphosis occurred. . . . Majestic man was replaced by covenantal man. He was initiated into a new spiritual universe.[32]

Finkle's response to Lily's weighty question is not spiritual, but intellectual. He has been interested only in the Law. Yet Lily persists: "You saw revealed in it the presence of the Highest?" The rabbinical student ignores her question, but Lily probes again: "When did you become enamored of God?" At last, realizing that Salzman had depicted him as

30. Ibid., 140.
31. Ibid., 142.
32. *Lonely Man of Faith*, 104.

"some mystical figure, perhaps even passionate prophet he [Pinye] had dreamed up for her," Leo replies, "I think . . . that I came to God not because I loved Him but because I did not." The narrator notes, "This confession he spoke harshly because its unexpectedness shook him."[33] Apparently, Finkle's dialogue with Lily is his first meaningful communication with another person, and it consists of confronting a devastating truth about himself. At this point, the student learns that a first step toward transcending one's self is knowing one's self.

Leo's revelatory admission that he does not love God advances his transformation from lonely and self-absorbed Leo the first to redeemed Leo the second. It seems to me that Finkle's confiding in Lily is an example of the Rav's faith community writ small, as his explanation of the way in which communicating is a redemptive gesture applies to Leo's situation: "[I]n crisis and distress there was planted the seed of a new type of community—the faith community which reached full fruition in the covenant between God and Abraham."[34] The future rabbi is clearly in distress with Lily's probing questions, but his ability to respond honestly to her is the planted seed, which will reach fruition for him not with God, but with Stella.

However, the immediate result of Leo's epiphany is shattering. He realizes now a litany of failures: his inability to find a bride on his own, "the true nature of his relationship to God, and from that it had come upon him, with shocking force, that apart from his parents, he had never loved anyone. Or perhaps it went the other way, that he did not love God so well as he might, because he had not loved man. . . . [H]e saw himself for the first time as he truly was—unloved and loveless."[35] This is Finkle's existential crisis. He is now ripe for the redemption that R. Soloveitchik believes is found "in the depth of crisis and failure."[36]

The Lonely Man of Faith posits that Adam II sees his own "existential uniqueness not through dignity or majesty," but in "the redemptive [mode of existence], which is not necessarily identified with the dignified."[37] In fact, the Rav refers to this condition as "cathartic redemptiveness [which] is experienced in the privacy of one's in-depth personality . . . and reaches into the very hidden strata of the isolated

33. Malamud, 142.
34. *Lonely Man of Faith,* 38.
35. Malamud, 143
36. *Lonely Man of Faith*, 35.
37. Ibid., 24.

'I' who knows himself as a singular being."[38] Unwittingly, Leo is ready to enter this mode of existence. It is as if Malamud's imagination strips the Rav's basic theories of human nature down to their core. Leo does not possess the awareness and *telos* that govern Adams I and II, but he does share (albeit unknowingly) their fundamental failings and need for love and redemption. For example, when he insists on marrying the prostitute Stella, he is emphatically ignoring his own dignity, as a man and as a rabbi. Here too, though, Malamud's character demonstrates R. Soloveitchik's definition of a hero as one who acts irrationally in a crisis. As the Rav explains elsewhere: "There are situations in life with which clear-cut logical processes and utilitarian approaches fail to cope, while the sudden spontaneous leap into the absurd… may save man when he finds himself in utter distress."[39] For Malamud, too, Leo's passion for Stella is heroic because it is redemptive, and that which redeems, sanctifies.[40]

Yet that redemption also requires an act of transcendence. This occurs after Pinye denies the young man's persistent requests to meet Stella. The narrative continues: "'Put me in touch with her, Salzman,' Leo said humbly. 'Perhaps I can be of service.'" Before he even lays eyes on her, Stella has stirred humility in him. More important, he now wants to serve, rather than be served (i.e., be provided with a wife). In the Rav's terms, Leo is now disposed to "give instead of conquer."[41] Thus, he is beginning to meet the criteria for the Rav's definition of redemption: a state of security in which one "intuits his existence as worthwhile, legitimate and adequate, anchored in something stable and unchangeable."[42] Leo's leap into the absurd, his yearning to anchor himself to someone whom he intuits invests his life with value, has engendered the transcendent leap that R. Soloveitchik associates with Adam II's covenantal existential relationship with Eve and with God. The Rav writes:

> The change from a technical utilitarian relationship [procuring a wife only in order to get a job] to a covenantal one [wanting to redeem and

38. Ibid., 34.
39. "Catharsis," *Tradition* 17,2 (Spring 1978): 40.
40. Unlike Adams I and II, Malamud's characters would be lonely also ostensibly because having faith in seemingly absurd forms of redemption would divide them from their communities. Obviously, we can only infer this, as their stories do not have epilogues.
41. *Lonely Man of Faith*, 96.
42. Ibid., 34.

> sanctify a prostitute] occurs in the following manner. When God joins the community of Man the miracle of revelation takes place in two dimensions: in the transcendental—*Deus absconditus* emerges suddenly as *Deus revelatus*—and in the human—*homo absconditus* sheds his mask and turns into *homo revelatus.*[43]

The above passage describes Leo's transformation, but in Malamud's world, Salzman has mystical qualities, for Finkle is "afflicted by a tormenting suspicion that Salzman had planned it all to happen this way."[44] At the story's end, Pinye is "transparent to the point of vanishing," [45] and "chant[s] prayers for the dead." [46] Here, Salzman seems to be an Elijah figure. The Midrash states that Pinḥas would take the form of Elijah, who did not lose his physical body at death so that he could revisit earth occasionally.[47] Malamud's Pinye is Elijah-cum-matchmaker, whose daughter, rather than mantle, transforms an Adam I-like lonely rabbinical student into a redeeming and redeemed Adam II. The new Leo, like the new Elisha, has transcended himself, and in redeeming an "other" has fulfilled his humanity and sanctified his life.

The dynamic of oscillating between advancement and retreat, conquering and submission, so crucial to R. Soloveitchik's philosophy, is also critical to Malamud's work.[48] For much of "The Magic Barrel," Leo's mind is in flux. Recall the two tormented days spent "turning over in his mind" the problem of procuring a wife. He also vacillates

43. Ibid., 51.
44. Malamud, 149.
45. Ibid., 148.
46. Ibid., 149.
47. Midrash Ruth 4.
48. R. Soloveitchik locates the moment when Adam I becomes Adam II at God's prohibiting Man from eating from the tree of knowledge. As a result of the divine injunction, Adam moves from "a non-reflective life to meditative existential, ontological existence" (*Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky [New York, 2000], 12), because he now has moral awareness. The Rav contends that this awareness results in liberating man from his environment and from the belief that existence is comprised only of pleasure. In this sense, "the law of withdrawal is the first *miẓvah*. Man must not overreach" (13). Yet Adam II is also commanded to work in Eden, to keep it, and to *name* all of creation; Adam I is commanded to fill the earth and *subdue* all of creation. For the Rav, a life of approach and withdrawal (keeping and subduing) is divinely engineered and is a function of Man's dual nature. For Malamud, the dynamic plays out repeatedly with characters that are at the mercy of chance. They vacillate between advancement and retreat, succeeding only because of some inexplicable force that moves them to believe something remarkable.

between retaining Salzman and "seeking out another matchmaker";[49] he oscillates between contempt and desire for the marriage broker; and he sees in Stella's photograph the face of someone who "had *lived*, or wanted to—more than just wanted, perhaps regretted how she had lived. . . . Her he desired, [but] he experienced fear of her."[50] At last, Leo reaches an epiphany after he learns Stella's identity:

> Though he prayed to be rid of her, his prayers went unanswered. Through days of torment he endlessly struggled not to love her; fearing success, he escaped it. He then concluded to convert her to goodness, himself to God. The idea alternately nauseated and exalted him.[51]

Here, the tension between living in this world and the transcendent one, which the Rav describes, is played out intellectually and emotionally in Malamud's text. Leo identifies the tension of opposites in Stella's eyes: she had lived, or wanted to, or regretted living. He wants her but fears her, "aware that he had received an impression, somehow, of evil. He shuddered, saying softly, 'It is thus with us all.'"[52] In the Rav's terms, Stella is almost Leo's God-figure. She stirs in him love and terror, a desire for advance and recoil. When he prays to be rid of her, because that prayer is self-serving, it goes unheeded. "Fearing success, he escaped it." Lost amidst these dizzying changes of mind, Leo is undergoing mentally something akin to what the Rav attributes to the result of taking action—that is, the experience of alternating between the earthly world and that of the covenant of faith. For the theologian, the man of faith who must repeatedly exchange one way of life for the other is doomed to "ontological loneliness" because he "does not feel at home in either of these communities."[53] For Malamud, this sentence of loneliness is unacceptable, and Leo determines to convert Stella to goodness and himself to God, prospects that nauseate and exalt him by turns.

It seems that Leo is roughly the distillation of the Rav's philosophy. As a nearly ordained rabbi, Finkle feels he must *convert* to God, as if God is a religion distinct from Judaism. While the notion of converting to God might be related to Adam II's existential covenant of faith, it also seems to be where Malamud locates humanity—in committing oneself to an entity greater than and external to

49. Malamud, 138.
50. Ibid., 145, 146.
51. Ibid., 148.
52. Ibid., 146.
53. *Lonely Man of Faith*, 82-83.

the self. R. Soloveitchik describes this covenant in a way that applies poignantly to Leo and Stella, in terms of a "new kind of fellowship, which one finds in the existential community. . . . There one lonely soul finds another soul tormented by loneliness and solitude yet unqualifiedly committed."[54] Leo and Stella, who seem tailored to this description of an existential covenantal faith relationship, are ideally matched. Yet, like his other blundering heroes, Malamud's Leo "perhaps did not know that he had come to a final decision [about Stella] until he encountered Salzman in a Broadway cafeteria."[55] Leo is the last to realize his own choice, for redemption has found *him*. Indeed, when the future rabbi actually meets Stella, "He pictured in her his own redemption."[56] Here, in the Rav's sense of the word, Finkle "intuits his life as worthwhile."[57] In fact, Leo's entering into a covenantal marriage commitment is his final and most humanistic, redemptive act. It is the transformation of faith into an observable act.

Just as the Rav's readings of Adam I and Adam II apply to Leo, his interpretations of Genesis's two accounts of Eve similarly describe feminine typologies that apply to Stella. In his essay, "Marriage," Soloveitchik writes:

> While the first account (Gen. 1:27) deals exclusively with the physiological sexual differentiation of "male and female" and their joint capacity for procreation, the second account (Gen. 2:18) completely omitted this aspect of the male-female relationship . . . "Be fruitful and multiply" was imparted to an anonymous male and unknown female, but not to the two *personae* Adam and Eve. In contrast to the sexual polarity of male and female, *zakhar u-nekevah*, the Bible switches to *ish* and *ishah*, man and woman, and "a helpmate opposite him, *ezer ke-negdo.*"[58]

By marrying not a teacher or wealthy widow, but possibly a prostitute, Leo transforms Stella from the Eve the first-like functionary sex partner of Genesis 1 to the "helpmate opposite him." When he sees her, he does not see a mere female, but a woman who has lived, and so marriage will redeem both Adam I and Eve the first. Stella's "profession" heightens the Rav's point that at one level, "sexual activity is redeemed [by marriage]

54. Ibid., *40.*
55. Malamud," The Magic Barrel," 148.
56. Ibid., 149.
57. Ibid., 34.
58. Rabbi Joseph B. Soloveitchik, "Marriage," in *Family Redeemed*, 33.

by infusing it with . . . man's desire to give love,"[59] and that in wedlock, "The natural becomes personal; the vulgar refined; and the profane sacred—not by the intervention of God, but by that of man."[60] The Rav and Malamud would agree that Man does not require God for redemption and that sacrificing one's ego-centrism to sanctify and redeem another person is an act of fully achieved humanity. This is achieved in marriage, whose task "is to teach Man to find love in identity and continuity."[61] R. Soloveitchik stresses that covenantal marriage is a series of commitments to alleviate "the spiritual incompleteness of lonely man and his need for ontological oneness with another individual."[62] Leo Finkle unwittingly, perhaps unconsciously, recognizes his own incompleteness and loneliness in Stella.

Obviously, for the theologian, the archetypal covenantal community consists not only of Adam and Eve/husband and wife, but also of God. In "The Magic Barrel," however, the third party is not the Divine *per se*, but love—in this case, God's instrument. It is the magic that enables Leo the first to transcend and transform himself into Leo the second, who can then redeem even a prostitute.

After recognizing that he has neither loved nor been loved, Leo realizes that "the Five Books and all the commentaries" had not taught him the most critical knowledge—the truth about himself. He attributes his consequent "desolating loneliness" to the fact that "he was a Jew and that a Jew suffered."[63] The faithful Jew—learned, observant, but divided from himself, his community, and his God—has nowhere to turn, no one to turn to. As we are told, for Leo, "there was no *to whom*."[64] Here, Leo's loneliness parallels that of Adam I. As the Rav puts the latter's situation, naming and describing one's environment produces knowledge of it, but one remains alone without someone to confide in; to conquer loneliness, "Man must reveal himself" to another.[65] Perhaps intuiting this truth, with renewed determination in his bride quest, Finkle reasons that "perhaps with this new knowledge of himself he would be more successful than in the past. Perhaps love would now come to him and a bride to that love. And for this sanctified

59. Ibid., 39.
60. Ibid., 46.
61. Ibid., 47.
62. Ibid., 33.
63. Malamud, 143.
64. Ibid.
65. "Adam and Eve," *Family Redeemed,* 20.

seeking who needed a Salzman?"[66] Leo realizes that finding a bride, a wife, someone to love who loves him, is indeed a sanctified mission. With this recognition, Finkle experiences the transformative power of the Rav's cathartic redemption. From the depths of a despairing existential crisis, Leo turns his personal truth into a means of redemption, and grows from Adam I's self-centeredness to Adam II's desire for a covenantal faith relationship with another person.

In these respects, Malamud prefigures basic elements of the Rav's theology: Adam I and II typologies of the human personality, the tension produced by the opposing pulls of each type's mode of existence and accompanying community, and an existential loneliness that can bring about redemption. Variations of these possibilities are explored in four other Malamud stories of magic realism: "Angel Levine," "The Lady of the Lake," "The Jewbird," and "The Silver Crown." In "Angel Levine," a Job-like tailor named Manischevitz must believe that a black man is both a Jew and a probationary angel sent by God in response to the tailor's prayers for his and his wife's health.[67] When he chooses to believe, the couple's health is restored and Alexander Levine ascends from the rooftop amidst "a whirring of wings," a black feather drifting down, "turned white, but it was only snowing."[68] Having once reasoned, "If you believed, you believed,"[69] the tailor ends the tale proclaiming, "Believe me, there are Jews everywhere."[70] Manischevitz's faith in the non-rational, however, is absent in the other three stories, whose characters pay a heavy price for their lack of faith. "The Lady of the Lake"'s Henry Levin will not believe that the beautiful Italian, Isabella (a secret Holocaust survivor), will love a Jew, and he loses her. "The Jewbird"'s Harry Cohen will not believe that the bird, Schwartz, is an old Jew, and essentially murders him. And "The Silver Crown"'s Albert Gans will not believe that paying a Rabbi Lifschitz to make an expensive silver crown will cure Gans's dying father; sadly, just after the son refuses to pay Lifschitz, the elder Gans dies. In these tales, God's search for men fails because the latter refuse to have faith, fail to transcend themselves, and remain unredeemed. Thus, beneath the veil of forgetfulness, Malamud's vision of the human personality becomes visible. Like the

66. Malamud, 143.
67. For parallels between Elijah and Job in "Angel Levine," see. David J. Zucker, "Malamud as Modern Midrash," *Judaism* 43,2 (Spring 1994): 159-72.
68. Malamud, 166.
69. Ibid., 165-166.
70. Ibid.,166.

Rav's, it is to achieve humanity and experience redemption through transcendence.

In the end, the writer and the Rav toiled in different fields but cultivated the same garden. Interestingly, when asked what makes his characters Jewish other than their names and circumstance, Malamud answered, "Their Jewish qualities, the breadth of their vision, their kind of fate, their morality, their life, their awareness, responsibility, intellectuality, and ethicality. Their love of people and God."[71] The fact that these qualities resound throughout *The Lonely Man of Faith* further testifies to the affinities between Malamud and the Rav. It may be that by creating his own worlds, Malamud was only fulfilling his Adam-I mandate to imitate God, but he also created Adam II-like characters, who discover their own humanity and redemption through transcendence and commitment. In the process, Malamud himself oscillates between Genesis' two Adams, perhaps preferring a covenantal faith relationship with humankind to one with God. As a writer, then, Bernard Malamud himself approximates R. Soloveitchik's lonely man of faith, alternating between creation and transcendence. Like Adam I, he dominates his environment (his texts); and like Adam II, he seeks redemption, not necessarily for himself through God, but for humanity through his art.

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71. Lawrence Lasher, *Conversations with Bernard Malamud* (Jackson, Mississippi, 1991), 50.

SHUBERT SPERO

The Good, the Right, and the Morality of Judaism

Over a century's worth of analyses of moral language has yielded at least one generally agreed upon proposition—namely that two of the most frequently-used terms of approval in the English language, "good" and "right," when used in a moral context, designate two related but very different aspects of moral experience. Both are essential to the moral experience, yet they are so distinct that ethical theories are often categorized according to the emphasis they place upon one or the other of these terms.

The object of this paper is to determine 1) whether there are equivalents of these terms in biblical and rabbinic Hebrew and whether they similarly incorporate the important differences that philosophical analysis has discovered between them and 2) whether understanding these nuances enable us to better appreciate biblical and rabbinic texts. Our working assumption is that a pair of words in two different languages and cultures, although separated by vast stretches of time and space, can convey similar conceptual content and perform the same linguistic function when the referent of the language is the same distinctive human experience. In our case, we are looking at the *moral* experience. Hence, while we may use different phonemes, the reality that they attempt to describe, the raw experience that they attempt to articulate, is essentially the same.

I

In ordinary English discourse one can properly use the word "good" (and its opposite, "bad") in many different senses. For example, "a good knife"

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means a knife that cuts well, "good children" can mean that they do not cause trouble to their parents, "a good year" described by a business-man means a profitable one, and "a good movie" means at least an enjoyable one. The word "right" (and its opposite, "wrong") is similarly context-governed. It might mean "correct" in describing the answer to a problem in mathematics or it might mean "appropriate" or "fitting" in the sense of socially proper. Nevertheless, no matter how secondary the particular use, the primary meaning that is always present is that both "good" and "right" indicate approval on the part of the speaker in the sense that the object of this adjective is in some appropriate sense beneficial, favorable, or useful (while the very opposite is true with regard to "bad" or "wrong").[1]

However, a study of the use of these terms in ordinary everyday conversation reveals certain differences between judgments of good/bad and those of right/wrong. The latter carry with them a tone of specificity and finality—one might even say a hint of objectivity, pointing to some outside standard. This can be seen when the terms are used in such contexts as medical diagnoses, mathematical equations, or directions. To be judged "wrong" is to have been judged an unequivocal failure. All this is lacking in the vagueness of good/bad. Furthermore, in judgments of good/bad ("the movie was good," the weather is "bad"), one is grammatically predicating something about the object. In right/wrong judgments ("the answer is wrong"), while the grammatical form is the same, there is a certain finality to the term "wrong." The "wrongness" of the answer grows out of a relationship to some outside standard. These nuances find expression in a noticeable difference when reacting to a challenge to one's judgment. In the case of good/bad , such as "the movie was good," one may respond "because I enjoyed it." This is acceptable because good/bad judgments do not convey anything more than approval/disapproval. However, if challenged in a judgment of right/wrong, a subjective explanation such as "this is just the way I see it" would be considered an inadequate justification, since the very terms right/wrong imply a judgment made in relation to some identifiable criterion.

1. The derivative use of the word "right" (opposite "left") to indicate position or direction emanates from its use to indicate the side of the human body on which is situated the hand that developed, in most people, as the favored hand in all activity. Hence, in training the young, it becomes the "right" hand to use, a handy way to indicate position and direction. That is to say, it is the side or direction corresponding to one's "right side." As is well known, the use of "right" and "left" in politics to indicate "conservative" or "liberal" is the result of where particular members of the House of Parliament were seated relative to the speaker.

There is another difference between the terms. Good/bad allows for comparison and gradation. Things can be "very good" or "not so good." One thing can be "better than another." However, strictly speaking, right/wrong does not allow for such gradation. One cannot be more right than another.[2] There is an element of either/or to the term "right," as in the case of the term "truth."[3]

I shall later attempt to show how the distinctions seen in the use of the terms "good" and "right" in ordinary discourse help to elucidate certain biblical and rabbinic texts. But first, for a broader perspective on the difference between "good" and "right" as seen in the philosophy of ethics, let us consider a brief, broad-brush historical sketch.

II

Since the days of the ancient Greeks there has been a line of thinkers who have viewed the pursuit of ethics as the rational search for the supreme good, i.e., "an end of action which is desired for its own sake while everything else is desired for the sake of 'it.'"[4] This supreme intrinsic good is not the good for any particular person, but rather the good for the human qua human—that is, something that answers to that unique quality that makes our species "human." After comparing human beings to the other species, these thinkers, most famously Aristotle, concluded that this quality is the human's rational faculty. Just as the supreme good for a plant is to be under conditions that enable it to live, grow and blossom, to fulfill its very nature, so the supreme good for a human being is to achieve full realization of one's potential as a social and rational being.[5] Clearly this kind of argument is based on the assumption that humans are similar to plants in the sense that a human's supreme good can be determined simply by an examination of the human's biological nature. Is a human being nothing more than a rational animal?

In more recent times, thinkers with a more empirical bent have argued that the "good" for human beings is what they themselves value most. However, rather than determine this by a poll, they decided, a bit

2. In moral philosophy, one might deem a supererogatory act as more right than another right act, but I am speaking of ordinary discourse.
3. Of course, if the matter being judged is a complex one, one might say, "You are partially right." s
4. Aristotle, *Nicomachean Ethics,* 1094a19.
5. See H.B. Veatch, *Rational Man* (Bloomington, 1966).

too hastily perhaps, that the feeling of wellbeing and self-satisfaction that comes at the end of the fulfillment of any desire, was the goal and the basis for the motivation from the very beginning. Thus, no matter whether the act is buying a ticket to a ball game, hearing a lecture or concert, deciding to become a scientist, marrying a certain woman or attending a religious service, the end goal is always to experience pleasure or to eliminate or prevent discomfort. Even if true, this proves only that each person seeks his or her own happiness. Nevertheless, this did not stop theorists such as utilitarians from concluding that they had thereby discovered by empirical means that pleasure, as such, is the universal human good. Therefore, the moral act or policy in every situation is that which will result "in the maximum amount of pleasure for the greatest number of people." [6] All such theories that see morality as based on the "good," will then define the moral "right" in terms of the "good," i.e., the morally "right" is always that which maximizes the "good," so that in moral language, "good" is primary and "right" subsidiary.[7]

These theories are sometimes called teleological or consequentalist because they see the moral element as being not in the act itself, but in its consequences or "purpose" which is the supreme good.[8]

In contrast to the above approach, there are equally venerable theories which claim that morality is uniquely grounded in consciousness of a sense of duty. Actions are judged to be moral if they are in accordance with certain rules, so that unlike what is the case in utilitarianism, the primary moral predicate is the word "right" and the word "good" subsidiary. The sense of duty imparts a special "ought" to the rules and principles of morality that can set an individual against one's other desires and can motivate one to overcome hardships in order to keep a

6. This thesis is known as utilitarianism and is associated most closely with the nineteenth century British thinkers Jeremy Bentham and John Stuart Mill. A useful recent account of utilitarianism's development is Julia Driver, "The History of Utilitarianism," *Stanford Encyclopedia of Philosophy* (online).

7. Jeremy Bentham held that the amount of pleasure (quantity) generated by each experience was to be measured by taking into consideration various dimensions, such as duration, intensity, purity, after-effects, and others. John Stuart Mill, however, claimed that quality of pleasure must also be considered, arguing that intellectual pleasures were in some sense "higher." Therefore activities which generated intellectual pleasures were to be given preference over the lower pleasures. To ward off criticism that he has made an arbitrary value judgment, Mill argued that in any particular case, pleasure should be judged as higher only if so judged by individuals who had experience with both the higher and lower pleasures. See Mill, *Utilitarianism*, at the beginning of part II.

8. See Abraham Edel, *Science and the Structure of Ethics* (Chicago, 1967).

promise or to refrain from taking revenge. The moral "right" seems to come from some principle or standard which, in some sense, seems to be "outside" the orbit of self-interest and even the interests of a collective and seems to obligate me as a rational person. This is why the philosopher Immanuel Kant called the moral act a "categorical imperative," meaning that the principle behind the act is accepted as binding for its own sake, "duty for duty's sake," rather than for the sake of attaining some end.[9] Duties are usually formulated as rules, as laws or commands. Theories of this type are sometimes called deontological moralities because "deon" in Greek means obligation or duty.

It is precisely at this point that moral-language-analysis reaches an impasse. To understand this more clearly, we must compare morality to law in another respect. If we were to seek the source of the "ought" of conventional law and ask why we "ought" to obey the law in general, the answer cannot come from the law itself. One could not respond, "Because the law says so," as this clearly begs the question. The answer can only come from some discipline that is broader than the law—such as morality. For example, according to one version of social contract theory, one is obliged to obey the law because as citizens of the state we have sworn to abide by its laws and as humans we are bound to keep our pledges. However, if one asks, "What is the source of the prescriptive element in morality?", questioning what gives morality the authority to impose obligations, the answers would have to be sought in some philosophical theory of ethics. So, for example, a Kantian ethicist would reply that it is rationality itself that stands behind the moral "ought." To disobey the categorical imperative, Kant argued, is to be guilty of self-contradiction, which compromises one's rational nature. However, this has been seriously questioned, for while rationality as such is a guide for proper thinking, it does not obligate.

While certain approaches in modern philosophy have rejected the theories of particular philosophers that so clearly embodied the teleological (Aristotle) and the deontological (Kant) approaches, in terms of our quest, it is important to recognize that there is a kernel of truth in each broad approach that must be accounted for by any ethical theory that hopes to be taken seriously. First, the theory must be consistent with one's concept of what it is to be human and provide for a sense of fulfillment of their nature (teleological). Second,

9. See Kant, *Groundwork for the Metaphysic of Morals*.

a credible theory must account for our sense of duty and for the prescriptive element in the moral experience in a way that does not see the fulfillment of duty as conceptually connected to promotion of the good (deontological, save for the duty to promote the good) that exists among other duties. Our conclusion is reflected in the analysis offered by R. Joseph B. Soloveitchik who typically transposes what we have identified as components of the concept and *language* of morality into felt aspects of the moral *experience*. "An act is ethical when it is sponsored by two motives: the *imperativistic*, that is, under the pressure of normative feelings, and the *idealistic*, namely the fulfillment of the norm is experienced as redeeming, elevating and meaning-giving."[10]

III

Let us now turn to the question we posed at the outset: Are there in biblical Hebrew equivalents to the terms "good" and "right" and do they convey the significant differences that we have assigned to them? For the word "good," the obvious choice is the word *tov*, which is used as both an adjective and an abstract noun. As we have seen regarding the English word "good," in general use as an adjective, *tov* can modify almost anything.[11] Its meaning is almost completely tied to the context, although it always retains its function as a term of approval. However, most of the time that it appears in the Bible (as well as in modern Hebrew), when *tov* is used to describe a person it is used in a moral sense. Thus, "Good (*tov*) is the man who deals graciously and lends and orders his affairs justly" (Ps. 112:5). It is also clear that the lifelong quest undertaken by Kohelet, "so that he might see which is the good for the sons of man (*tov li-benei ha-adam*) that they should do under the heavens the few days of their life" (Eccl. 2:3), was a search for the supreme good. Likewise, the prophet Mikhah states: "It has been told to you, O man, what is good (*tov*) and what the Lord requires of you—to do justly, love mercy, and walk humbly with your God" (Mikh. 6:2). Although acting justly and walking humbly often are required even if they do not promote pleasure and happiness, which are good even if not the only goods, those action patterns constitute the good life for human beings. Their supreme good (*tov*) is "that which the Lord requires of

10. R. Joseph B. Soloveitchik, *The Emergence of Ethical Man* (Jersey City, 2005), 77.
11. For example, it is used to describe the Creation itself (Gen. 1:31), the gold in the land of Ḥavilah (Gen. 2:11), and infant Moshe (Ex. 2:1).

you," the laws and commandments revealed by God, chief of which are "to do justly, love mercy and walk humbly with your God." These values are also affirmed by our intuitive moral sense.

Similarly, *tov* is used in connection with God to highlight His moral qualities: "Praise the Lord, for He is good (*tov*), for His kindness endures forever" (Ps. 118:1). This is confirmed by the verse: "The Lord is good (*tov*) to all and His tender mercies are over all His works" (Ps. 145:9). Thus, to say that God is *good* means that God acts in ways that are beneficial to others. He brings into existence things that are of value to others, useful, and beautiful. He guides the history of humanity to an ultimate state of universal peace and justice, and He teaches people wisdom and reveals to them His statutes and judgments. Furthermore, to say that God is good also means, as it does in the case of human beings, that the moral qualities of justice, righteousness, mercy, and kindness are, in some sense, resident aspects of God's personality. This is indicated by the verse, "You are good and You do good" (Ps. 119:68), suggesting that to *be* good in the moral sense is also to *do* good to others. Since performing good acts is explicitly mentioned in the latter part of the verse, the first statement, "You are good"—seems to be saying that God *Himself* is good. Similarly, in Moshe's epiphany on Mount Sinai, God declares Himself *to be* ". . . the Lord, merciful and gracious, long suffering, and abundant in goodness and truth" (Ex. 34:6). The subject of these adjectives is God Himself. This implies that there is a sense in which to say that "God is moral" is to assert more than "God performs moral actions." That is, moral value is a resident aspect of God's personality. Of course it is impossible to say anything beyond this.

For the Hebrew equivalent of the English term "right" when used as an adjective in a general context, one might suggest the words *nakhon* or *tzodek.* These, however, are closer to the English "correct," "appropriate," or "justified." The equivalent of the term "right" in a moral context would more precisely be *yashar*, which is variously translated as "straightforward," "righteous," "just," or "honest." In modern Hebrew (as in the case of "right" in English) the word *yashar* can often appear in non-moral contexts, simply meaning "straight," as in a "straight line" (*kav yashar*) or "straight ahead" (*yashar, yashar*) or with the implication of "direct." In the Bible, however, the term is usually related to morality. For example, we find references to a group of people termed *yesharim,* often translated as "the upright," about whom it is said: "The way of the

upright (*yesharim*) shall save them" (Prov. 11:6). The phoneme *yashar* may sometimes take the form *yosher*, used as an abstract noun, meaning "righteousness," "equity," "fairness," or "decency." As an adjective, the word *yashar* may be used to describe one's "way" (Jer. 3:9), one's "heart" (Ps. 32:11), God's "work" (Prov. 20:11), God's "word" (Ps. 33:4), or the human being himself, as we are told of Job: "and he was wholehearted (*tam*) and upright (*yashar*) and feared God" (Job 1:1). In all of these verses, the word *yashar* has clear moral significance, as it does in Moshe's description of God: "just and right (*yashar*) is He" (Deut. 32:4).

Is there any indication that *yashar* when used as an adjective in a moral context implies, like the word "right" in English, a judgment according to some objective standard? Perhaps there is a hint of this in the non-moral use of *yashar*, as in the statement "that line is straight (*yashar*)." If challenged, the issue can be resolved by producing a ruler, an objective standard. There is an indication from the word's use in the Bible that *yashar* is an objective judgment. In one of the first appeals to the Israelites to obey God and to do what is right, the text reads: "And you will do that which is right (*yashar*) in His eyes. . . ." (Ex. 15:26).[12] Evidently, to perceive what is morally right in any particular situation is not a matter given immediately to subjective experience, but rather requires a judgment based upon some general rule or principle, in this case the rule or principle "Do what is right *in God's eyes*." A situation in which "every man did that which was right (*yashar*) in *his own eyes*" (Jud. 21:24) was tantamount to moral anarchy. Therefore, before the basic principles of Torah-morality had been internalized, reference to the morally right (*ha-yashar*) had to be qualified by adding the words "in the eyes of the Lord your God," who would soon reveal His rules and principles of morality. Also, when the term *yashar* is used to describe God Himself, it is usually accompanied by some additional moral attribute of God that is more specific and well known. Thus, "A God of faithfulness and without iniquity; just and right (*yashar*) is He" (Deut. 32:4). "The Lord is upright (*yashar*), my Rock in whom there is no injustice" (Ps. 92:16).[13]

12. This is the most important consequence of man being "created in the image of God"—he is able to recognize and appreciate moral values through his moral sense. This is the basis for the concept of "*imitatio dei*"—the ability of the human being to become like God.

13. See also Ps. 25:8.

IV

Having shown that the terms *tov* and *yashar* correspond to the English words "good" and "right" when used in moral discourse, let us proceed to apply this insight in the interpretation of two well-known texts, one biblical and one rabbinic. Consider the following verses from Deuteronomy and the puzzling dispute that they engendered between R. Yishmael and R. Akiva:

> "When you do the good (*tov*) and the right (*yashar*) in the eyes of the Lord your God" (Deut. 12:28). "The good" in the eyes of heaven, "the right" in the eyes of man; these are the words of R. Akiva. R. Yishmael says, "'the right'" in the eyes of heaven, "'the good'" in the eyes of man, as it is said: "So shall you find grace and good favor (*tov*) in the eyes of God and man" (Prov. 3:4).[14] . . . "To do that which is right (*yashar*) in the eyes of the Lord your God" (Deut. 13:19). This is what was said by R. Yishmael: "The right" in the eyes of God."[15]

What was the point of disagreement between R. Yishmael and R. Akiva? What considerations led them to adopt opposing interpretations of the same verse? More basically, why do both reject the possibility that this qualification "in the eyes of the Lord" applies to both the good and the right, as a superficial reading of the text suggests?[16] This would have given them a very "safe" view of morality, namely that in all aspects of morality one must rely only on what is right and good in the eyes of God. Evidently, both rabbis brought to the discussion the presupposition that there are wide areas of moral experience in which what is morally proper in the "eyes of man" reflects the will of God. Hence, once the text evokes the issue through a seemingly selective use of "in the eyes of the Lord your God," the door is opened to the question of "what aspects of morality can be properly judged by our human moral faculty ("in the eyes of man"). But what brought the two rabbis to their different viewpoints?

R. Yishmael is well-known for his close attachment to the literal meaning of the text. Thus, once he finds an independent passage in which "the right" appears alone with the phrase "in the eyes of God" (Deut. 13:19) and another passage in which "the good" appears to parallel "the eyes of man" (Prov. 3:41), R. Yishmael feels confident in his interpretation.

14. *Sifrei* 52.
15. Ibid. 86.
16. This reading is further supported by the wording in Deut. 6:18.

Understanding the view of R. Akiva is much more difficult. Interestingly, R. Akiva offers no proof-texts in support of his interpretation, implying that his view is not based on any particular text, but upon his own understanding of moral experience. Indeed, throughout his teachings, R. Akiva demonstrates a remarkable interest in and insight into the subject of morality and its role in the Torah. For example, it is precisely R. Akiva who declares that "love your fellow man as yourself" (Lev. 19:18) is *the* great principle of the Torah (Gen. Rabbah 24:7). It is he who teaches us in *Avot* (3:18) that the greatest sign of God's love for man is that it was made known to him that he was created in the image of God through the verse, "Whoever sheds the blood of man, his blood shall be shed, for in the image of God did He make man" (Gen. 9:6).[17]

R. Akiva's point is not that an individual knows that he or she was created *be-ẓelem Elokim* because it is so written in the Torah; were that his intent, he would have cited the earlier, more obvious verse recounting man's original creation (Gen. 1:27). Rather, his point is that, in recognizing a congruity between God's being inherently "merciful and full of kindness" (Ex. 34:6) and his own moral intuitions, the human being hears an echo of his having been created in God's "likeness" (Gen. 1:26). This is uniquely confirmed by the passage in Gen. 9:6, which links the concept of *ẓelem Elokim* with the moral principle of retributive justice: "Whosoever sheds the blood of man . . . his blood shall be shed, for in the image of God did He make man." This verse appears following or perhaps as part of the blessing for fruitfulness that God bestows on the new humanity (Gen. 9:1). Like the earlier such blessings given during Creation (Gen. 1:22, 28), these post-deluvian blessings are not meant as heteronomous commands, but as referring to built-in faculties. R. Akiva maintains that, just as the human being has an innate potential to "be fertile, increase, and fill the earth" (Gen. 9:1), the human being has an innate potential to recognize and appreciate, both in theory and in real life, moral principles such as justice (*mishpat*), righteousness (*yosher*), mercy (*raḥamim*), and kindness (*ḥesed*). Thus, when R. Akiva is confronted by the choice of deciding which of the two components of the moral experience, the good (*tov*) or the right (*yashar*), is naturally recognized by human beings and which must await the judgment of God, it is understandable that he will associate the "right" (*yashar*) with

17. See also n. 12 above.

"the eyes of man," because people's sense is most effective in recognizing the "ought" component. In contrast, deciding what the moral "*good*" is in any given situation cannot be discerned by human beings. It is ultimately a value judgment and therefore must be checked against the teachings of the Torah.

With this distinction between the "good" and the "right" in hand, we may also better understand a pair of familiar rabbinic texts. Both appear as individual *mishnayot* in the second chapter of *Avot* and take the form of a general question followed by answers. Let us start with the questions:

> I. He [R. Yoḥanan ben Zakkai] said to them [his five disciples]: "Go forth and see what is the *good way* (*derekh tovah*) to which a person should cleave?" (*Avot* 2:13).
>
> II. Rabbi [Yehudah Ha-Nasi] said: "Which is the *right way* (*derekh yesharah*) that a person should choose for himself?" (*Avot* 2:1).

For anyone familiar with the Written and Oral Torah and the 613 commandments, the prospect that any rabbi would find it necessary or even intelligible to pose such a question is astonishing! Closer attention to the question of R. Yohanan ben Zakkai may mitigate this difficulty. His instruction to his disciples was: "*Go forth and see*." That is to say, he wanted them to go out into the practical world and test the theoretical teachings that they had received against the harsh reality of real life, and therefrom draw the master moral trait that a person should cultivate. But what was the intention of R. Yehuda Ha-Nasi in asking his question, whose answer he himself immediately supplies? Let us examine the responses each of the rabbis received:

> 1. R. Eliezer says: A *good* eye; R. Yehoshua says: A *good* friend; R. Yosi says: A *good* neighbor; R. Shimon says: One who foresees the fruit of an action; R. Elazar says: A *good* heart (*Avot* 2:13).
>
> II. That which is an honor (*tif'eret*) to he who does it and which brings him honor (*tif'eret*) from man (*Avot* 2:1).[18]

What was it about the respective questions that elicited such different answers? While at first glance the "good way" and the "right way" in Judaism would seem to ultimately reflect the same kind of

18. The Hebrew word *tif'eret*, translated here as "honor," can also mean "beauty" or "glory," as in "crowning glory" (see Prov. 20:29). Thus, to act morally is man's "crowning glory" in that it is a concrete expression of his unique capacity as a responsible being.

values and behavior, a significant difference in the questions becomes apparent upon comparing the phrase "to which a person should *cleave*" to that of "that a person should *choose* for himself." Of course, in any event, the individual is being asked to choose. However, the language "to which a person should cleave" suggests that the subject is "value" or, more precisely, some personal character trait. This is supported by the nature of the answers:

- A *good* eye = sees the good in others, be free from envy
- A *good* friend = be a considerate, helpful companion
- A *good* neighbor = be generous, helpful, concerned
- One who foresees the fruit of one's action = be responsible, do not act impulsively
- A *good* heart = have unselfish love for others in thought and deed

All of these require personal character traits which, to be effective, a person must make a permanent part of his personality. Hence, the expression ". . . to which a person should cleave." Note that these answers were not accompanied by proof-texts; they are not derived from Scripture. This is in line with R. Yoḥanan ben Zakkai's directive to base the answers on personal experience and judgment.

Similarly, R. Yehudah Ha-Nasi, in his clearly rhetorical question, is not simply requesting a reaffirmation of Torah values; he is asking for a theoretical formulation of the *right* way that a man should choose for himself. As we stated earlier, to judge an action or omission, i.e. failure to act as morally *right*, implies the making of a rational judgment based upon some general principle. And this is precisely what R. Yehudah gives us, a general rule to be used as a criterion by which any particular act or judgment can be tested as to its "rightness."

- That which is an honor (*tif'eret*) to he who does it and brings him honor (*ti'feret*) from man.

R. Yehudah's two-part statement addresses the gap that sometimes opens between the particular act of the agent, based upon his personal judgment, and the corresponding abstract principle stemming from the concept of a human being that is part of public discourse. It stipulates two criteria by which to judge whether an act is morally right.

1) It is a positive experience (*tif'eret*) for one who does it. The individual will feel a sense of personal fulfillment, having discharged a felt duty.

2) The person will find that the way he has chosen also seems "right" to the community—"honor from man."[19]

Thus we have demonstrated that the use of the terms "good" and "right" in a moral context, in both English and Hebrew, reflect the subtle differences that these terms have acquired from the different aspects of the moral experience to which they refer.

V

Earlier in discussing the type of ethical theory that emphasizes the centrality of the "right," we pointed out that in seeking the source of moral duty, asking by what authority moral principles are said to obligate the human being, we find ourselves knocking at the gates of philosophy. Unfortunately, however, in the field of ethical theory, philosophy has not been able to arrive at any agreed-upon solution. As we noted earlier, all factual statements about the world are cast as "is" statements, whereas the normative aspects of morality take the form of "ought" statements. And it would appear that David Hume's argument that logic does not permit the drawing of "ought" conclusions from purely "is" statements is sound.[20] This means that nothing we know or might ever learn about human beings or nature can by itself yield any prescriptive statements.

Of course, attempts continue to be made to "explain away" the feeling of a "moral sense" as a mere psychological vestige of an earlier period in human history, when the survival of the social unit depended upon the cultivation of certain behavior and which was internalized as a kind of conscience or special sense. If we accept this view, then the continued use of "the moral right" in modern languages would have to be viewed as an instance of what has been called a "cut-flower" culture. Just as flowers, although cut off from their life-giving roots, retain their beauty and fragrance for a while and are therefore found to be useful,

19. Compare this analysis to that of R. Joseph B. Soloveitchik at the end of section I. This unusual teaching, which is nothing less than a philosophic analysis of the moral act, is quite befitting for R. Yehuda Ha-Nasi, who was a descendant of Hillel the Elder, who taught that "that which is hateful to you do not do to others," and who was on friendly terms with the intellectually inclined Roman rulers of the time.

20. See Hume, *Treatise of Human Nature*, III:1:1.

so too the language of morality. It came into existence as a reflection of some deeply-seated metaphysical beliefs regarding God and a moral order, but today, society no longer maintains these beliefs. This moral language, with all its implications, continues to be employed for the simple reason that it is found useful.[21]

However, the unresolved problems in ethical theory that we have indicated pose more than just a philosophical difficulty. I believe that they can have unfortunate practical consequences. Very often, principles such as kindness and loyalty call for choices that are opposed by strong instinctual sentiments, such as self-interest. In such situations, which call for a measure of self-sacrifice, individuals who feel tempted tend to question the source and authority of morality. In the past, it was perhaps the moral passion of the prophet speaking in the name of God who is "merciful and gracious . . . abundant in kindness and truth" that gave real substance to moral values, thus strengthening the motivation of the individual. Bereft of the Divine source, the language of morality becomes something of an empty shell, like bank-notes being used for currency for which there are no gold reserves.[22]

The moral theory of Judaism escapes being classified as either "teleological" (consequentialist) or "deontological," each to the exclusion of the other, as it considers both the "good" and the "right" to be essential components of the moral experience. Morality was never treated as an item, of and by itself, but rather was understood as an integral part of the entire system of Halakhah and belief. In the Pentateuch, moral rules are hardly distinguishable from the other commandments. It remained for the prophets and the rabbis to point to the centrality and intrinsic nature of moral values. Ultimately it is precisely the moral values of justice, righteousness, mercy, and kindness "that the Lord requires of us," and those alone can positively be attributed to God, Who *is* righteous, merciful and kind. Moral values are *from* God, *of* God, and the way *to* God. Indeed, it is precisely the near identity of God and moral values that gives the morality of Judaism its distinctive qualities, an "urgency" towards implementation and the note of "hysteria among the prophets" when the innocent suffer.[23]

21. See Elizabeth Anscombe, "Modern Moral Philosophy," *Philosophy* 33 (Jan. 1958): 1-19; and the famous book by Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame, IN, 3rd ed., 1987).

22. Cf., however, Yitzchak Blau, "Ivan Karamazov Revisited: The Moral Argument for Religious Belief," *The Torah u-Madda Journal* 11 (2002-03): 50-60.

23. In the ancient world, wisdom was considered the source of morality, so that the highest form of moral expression consisted of abstract concepts such as "Justice" and

Clearly, in Judaism, the source of the moral "ought," the authority behind the prescriptive element, is God. However, He is not simply some "item" inserted as a sort of *deux ex machina* to fill an empty spot in some theory. A careful reconstruction of the biblical narrative provides a clearer picture. Since the values of justice, righteousness, mercy, and kindness are, in some sense, aspects of God Himself, and since human beings are free agents, created in "the image and likeness of God," they are able under proper stimuli to develop a sensitivity to these moral values, recognize them, and be attracted to them. At some point the human being hears a command from God (Gen. 2:16,17), which his incipient moral sense tells him he ought to obey. God is the source of morality in Judaism not only in the sense of being the author of the moral commandments, but in that in creating man in His image He endowed him with an intuitive moral sense which recognizes the obligation to express gratitude to benefactors. Without God, we would not know whom to thank or whether to take one's moral intuitions seriously. The temptations to disobey are strong and human beings often succumb. However, as a result of that struggle and the many others that follow, a person begins to recognize among the many voices within himself one that he can identify with and call "I." This is the crucial step in the development of a sense of "self" and the formation of personality.[24]

Accordingly, the authority behind the "ought" of morality as a whole is indeed God. Subjectively, this translates into a human being's sense of obligation owed to the Creator out of gratitude. This is experienced as compelling because the values we call moral are aspects of God Himself; when experienced by human beings, they become impregnated with a unique religious quality of holiness (*kedushah*), thus integrating the ethical and the religious. The prophet already hinted at this when he explained: "The Lord of Hosts is *exalted* through *justice*; the Holy God is *sanctified* through *righteousness*" (Isaiah 5:16).

"Good." In Judaism, however, it was the prophets, the spokesmen of the moral God, who were the source of morality. This God had created the cosmos so that the abstract concepts of morality could be implemented in the concrete reality of human life. See Shubert Spero, *Morality, Halakha and the Jewish Tradition* (New York, 1983), 119-65. Hebrew prophetic literature is characterized by an intensity, passion, and almost "hysterical tone" with which the prophets denounced the immorality of their times. This is because they believed that every act of injustice, in some sense, "affects" God. See Abraham Joshua Heschel, *The Prophets* (New York, 1955), 9.

24. Ibid., chapter 5. See also Israel I. Efros, *Ancient Jewish Philosophy* (Detroit, 1964), 119.

Conclusion

We have shown that in terms of the language used in biblical and rabbinic Hebrew in dealing with moral experience, there seems to be a clear awareness of the differences between the "good" and the "right." However, on the philosophical level when confronted with the problem of the ultimate source of the moral "ought," Jewish theology, by so closely identifying the Goodness of God with moral values, does not confront the Humean gap between the "is" and the "ought." That is, from the very beginning, God is *experienced* not simply as an "is," but in some sense as saturated with what we experience as moral values and provides the ultimate "ought." The Good God is experienced as a Commanding God. Those who stood at Sinai not only *heard* the words "thou shalt not," but felt its *imperative* voice to become part of their very being.

Thus, R. Soloveitchik writes about Abraham:

> The moral law was revealed to him by his God . . . who speaks from beyond and within his own personality. . . . He chances to find it [the moral law] within himself and to consciously adopt it. . . . Only later does he find out, to his surprise, that with the moral law in himself he has discovered the God of morality beyond himself. [25]

25. R. Soloveitchik, *The Emergence of Ethical Man*, 154.

MOSHE J. GERSTEL

The Musar Practices of Rabbi Yisrael Salanter

The Musar[1] movement arose as a reaction to what it perceived as the superficial fulfillment of Torah dictates and to the selective practice of miẓvot according to what was popular or conventional in social circles. The movement emphasized the development of character and sincere divine service guided by Torah law. This theme *per se* was not new; the innovation of the Musar movement was its demand that the process of developing inner sincerity be treated as an independent subject requiring its own study and methods, and even its own place of study and practice.[2] This article will discuss several of the developmental practices of the Musar movement with the aim of making their actual practice tangible to the reader. Historical writing about the Musar movement generally covers these practices through

1. For purposes of this paper, I use uppercase "Musar" to refer to the Musar movement, and lower case "*musar*" to refer to all forms of religious and ethical self-perfection, regardless of historical time-period. Hence, for example, a "*musar* text" is a religious-ethical text prescribing or proscribing various behaviors or practices, regardless of whether it had its genesis in the Musar movement historically.

2. This space was commonly known as a *musar kloiz* or *shtiebel* (room). For discussion of the need for a dedicated location for *musar* study, see Isaac Blazer, "*Shaʿarei Or*", in *Or Yisrael*, ed. Isaac Blazer (Vilna, 1900), 36-38. For general discussion, see Dov Katz, *Tenuʿat ha-Musar* vol.1 (Jerusalem, 1996), 244; Immanuel Etkes, *Rabbi Israel Salanter and the Musar Movement*, trans. Jonathan Chipman (Philadelphia and Jerusalem, 1993), 178-80; Kopul Rosen, *Rabbi Israel Salanter and the Musar Movement* (London, 1945), 71-73. For a then-comprehensive bibliography of the literature on the Musar movement, see Hillel Goldberg's *Israel Salanter: Text, Structure, Idea* (New York, 1982), 309-29. An updated bibliography is a desideratum.

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the lens of social and intellectual history.[3] Musar practices do indeed shed light on the philosophy, psychology, and social context of their practitioners, but their life-force lies dormant when they are described only as a means of inferring these elements and not for their own sake. Musar students often spent a significant amount of time engaged in musar practices. My goal is thus to revivify and flesh them out from a practical perspective, allowing the reader to peel them off the page into his or her life, or just to understand what they looked like in practice. Because of the rapid division of the movement into distinct and not-so-distinct schools and offshoots, as well as the plethora of behaviors that may be regarded as developmental practices, I have chosen a narrower focus—a modest survey of the primary practices advanced in one form or another by R. Yisrael Salanter himself and occasionally touching those of his leading disciples.

As *musar* study in the modern yeshivah becomes rarer and more cerebral, the need to render these practices accessible grows more pressing.[4] This slow extinction is a tremendous shame given the increasing potential for a healthy exchange of ideas with modern psychology and the possibility of a 21st century efflorescence of novel musar practice. Modern psychology has generated a wealth of insight into the biological and psychological nature of personal development and a host of tools to go along, while musar practice has its own novel ideas, practices, and aspirations. There is wonderful potential for a unique and mutually enriching dialogue. As a nod to this potential—and to add some *madda* to our Torah—I will introduce my survey of musar practices by providing a basic neuroscientific overview of character development, and conclude it with suggestions for enriching contemporary musar practice by adopting modern psychological tools and insights.

Human behavior arises out of a complex interplay of factors not yet fully understood, including biological, psychological, social, and environmental factors. For our purposes, we may divide all of these into two categories—physical and psychological. Physical factors are those that exert influence through a physical medium. Biological processes,

3. Some discussion of *musar* practices can be found in Etkes, *Rabbi Israel Salanter*, at 102-06, 208, and 230-35, and in Goldberg, *Israel Salanter,* at 33, 37, 83, and 95.

4. A series of short articles on *musar* study for contemporary times appeared in *Jewish Action*, winter 2003. Also devoted to this theme are: Elyakim Krumbein, *Musar for Moderns* (Jersey City, NJ, and Alon Shevut, Israel, 2005), Alan Morinis, *Every Day Holiness: The Jewish Spiritual Path of Mussar* (2nd ed., Boston 2008), and Morinis, *Every Day, Holy Day: 365 Days of Teachings and Practices from the Jewish Tradition of Musar* (Boston, 2010).

including eating, exercise, sleep, medication, recreational drugs, or even having a tamping iron blown through one's skull,[5] all fit into this category. Psychological factors include anything that exerts influence by affecting cognition in one form or another. Thought, perception, sensation, speech, reading, meditation, social environment, and behavior all fit squarely in this category. A hortatory talk by a preacher would be a purely psychological factor; a blow to the face by the same preacher, both psychological and physical; and a blow to the face while sleeping, purely physical. While modern psychology concerns itself with all such means of affecting human behavior, the Musar movement was solely concerned with the cultivation of character through the factors that have just been termed psychological. R. Yisrael and his disciples sought to develop ways in which one might affect one's psychology toward a desired end—namely, the cultivation of internal religious sincerity or the crossing of the divide between mind and heart. By way of illustration, in contemporary times, it is well known that nutrition, exercise, and certain medications have important psychological effects. It would definitely be interesting to consider what the attitude of the Musar movement towards such physical means of influence might have been. But historically, Musar primarily concerns itself with sincerity of action or the motivation and choice behind human actions. Behavior modification per se, though essential, is important to the movement insofar as it is an outgrowth of internals. Physical means of affecting psychology or behavior, while potentially important or even necessary, are historically out of the bounds of the movement's concern.

For the present discussion, I define a developmental practice as any behavior carried out repeatedly with the primary intention of influencing one's character in a natural manner. In modern psychological parlance, effective developmental practices work by creating new patterns of cognition or by strengthening already existing patterns, a process known as neural or synaptic plasticity.[6] Neurologically, repeated practice

5. This is a reference to a famous case in the annals of psychology in which a tamping iron blew through the skull of a railroad worker by the name of Phineas Gage. Incredibly, he survived with minimal loss of physical ability. Gage did, however, exhibit significant behavioral and personality changes and has thus achieved fame in many psychology textbooks.

6. This account relies partially upon James W. Kalat, *Biological Psychology* (9th ed., Belmont, CA, 2007), 405-11. Any introductory neuroscience textbook should provide a basic overview of the process of neural and synaptic change. An accessible popular account of neural plasticity is Norman Doidge, *The Brain that Changes Itself* (New York, 2007).

of a given sort causes the associated neural pathways to form stronger connections and increases the likelihood and speed of specific neural activation in these pathways. Less-used neural networks, on the other hand, tend to decay and lose their potency over time. Psychologically, we would say that these changes cause the intended attitude or habit to be more or less deeply ingrained, thus changing the individual's character.[7]

I will explain below how R. Salanter emphasizes emotional involvement in one's *musar* practices. Contemporary neuroscience shows that emotionality can exert unique influences on neural, and hence behavioral, change.[8] All such practices, although very different in nature, are merely different manners of evoking cognitive repetition of one sort or another, resulting in the modification of neural networks. This does not eliminate the value of a variety of practices, as different practices elicit different forms and patterns of cognition, each with its own slew of effects. The cognitive correlates of acting compassionately, for instance, are going to be very different from those of philosophical contemplation, and their effects on cognition, and thereby character, will likewise be different. Repeated and varied practice strengthens or creates anew an array of different cognitive patterns that influence character and behavior in myriad ways. Although not framed in this way, repeated and variegated focus is a part of the conscious philosophy of the Musar movement, and this paradigm provides a good general framework for understanding the effects of *musar* practices in light of modern neuroscience.

Incidentally, this focus on repetition and variation as a means of creating character change was not in itself new. Rambam, for one, had already outlined such a program based on the Aristotelian doctrines of *habitus* and the "golden mean."[9] Musar's uniqueness lies in its particular implementation of this kind of program. I would also be remiss if I did not mention that such religious elements as one's relationship

7. In general, there appears to be a scarcity of research on the specific relationship between human character and synaptic plasticity. For a general account of human development and neural plasticity, see Adriana Galvan, "Neural Plasticity of Development and Learning," *Human Brain Mapping* 31 (2010): 879-90.

8. Helmut W. Kessels and Roberto Malinow, "Synaptic AMPA Receptor Plasticity and Behavior," *Neuron* 61,3 (2009): 340-50.

9. See *Mishneh Torah, Hilkhot De'ot*, ch. 2 and *Shemonah Perakim* (introduction to the commentary on *Avot*), chap. 4. For discussion of the relation of Rambam's discussion to Aristotelian doctrine, see Bernard Septimus, "Literary Structure and Ethical Theory in *Sefer ha-Madda,*" in *Maimonides After 800 Years: Essays on Maimonides and His Influence*, ed. Jay M. Harris (Cambridge, 2007), 307-25.

with God, fear of Heaven, proper fulfillment of the commandments, and so on, were essential goals of the Musar movement. Accordingly, the practices described herein are of a very religious nature and were not intended merely for self-development in a secular sense. Musar philosophy also recognized supernatural effects on development, "whose reason [i. e., modus operandi–MJG] man's intellect and senses strain in vain to understand."[10] My intention, however, is not to evaluate the various religious attitudes and philosophical beliefs of the movement, but simply to describe and clarify the practices in which the Musar movement engaged in *natural* pursuit of its goals. R. Salanter writes clearly that his methods are intended to work through a natural medium, comparing them extensively to medical remedies.[11]

As a rule, I will attempt to present the general flavor of a given practice. Musar practices normally do not have a canonized or "authentic" form, but rather take the loose form of a general practice that varies with individual expression. Many Buddhist meditative practices provide an instructive contrast. These often have very traditional forms, which prescribe both the manner and content of their practice. In *metta* (lovingkindness) meditation, for instance, variations on four phrases are traditionally repeated: "May you be free from danger," "May you have mental happiness," "May you have physical happiness," and "May you have ease of well-being."[12] Musar has very limited formalism of this sort, if any. The need for individual adaptation is consciously advanced in the writings of R. Salanter. He stressed that one should practice according to one's own nature and temperament, writing in a postscript to one of his *musar* letters that *musar* practice would be effective: ". . . particularly [if the practice is done] in a manner appropriate to the individual's nature and situation".[13] Lastly, it is important to note that although the following practices are presented individually, in actuality they were not necessarily delineated in time or practiced separately. Part of conducting a *ḥeshbon ha-nefesh*, for example, might be engaging in what he called *hitbonenut*. Nevertheless, being clearly distinct elements of practice, they are most appropriately described independently.

10. Yisrael Salanter, "*Iggeret ha-Musar*," in *Or Yisrael,* ed. Blazer, 106-08 (letter 30).
11. See ibid. at 103-08.
12. See Sharon Salzberg, *Lovingkindness: The Revolutionary Art of Happiness* (Boston, 2004), 76.
13. Salanter, "*Iggeret ha-Musar*," in *Or Yisrael*, 30th letter, 92.

Musar be-Hitbonenut and *be-Hitpa'alut*

An abundance of *musar* texts were extant for many centuries prior to the birth of the Musar movement, and such texts were commonly studied by the learned. R. Yisrael Salanter called for renewed emphasis on these texts and a new manner of study that would be effective in penetrating the heart and changing thought and behavior.

This brings us to the first Salanterian practice—*musar be-hitbonenut* (literally, with contemplation) and *be-hitpa'alut* (literally, in an emotional manner).[14] In the context of the Musar movement,[15] this practice originated with R. Yosef Zundel of Salant,[16] R. Yisrael's teacher, and was then promulgated by R. Yisrael. *Hitbonenut* refers to extensive contemplation and elaboration of an idea. *Hitpa'alut* refers to the emotional manner in which one studies Musar. [17] Both elements were intended to help abstract ideas travel from mind to heart. R. Salanter felt that with regard to the semi-conscious elements of man's nature, what he referred to as the "subtle forces" ("*koḥot ha-kehim*"),[18] it is insuf-

14. As will be seen, these are two largely distinct elements and can equally be classified as two practices. I have presented them together as they are so described in R. Yisrael's words and were probably so practiced.

15. As this practice is rather straightforward it was likely engaged in previously. Indeed, the Talmud, *Sanhedrin* 7b, describes the *amora* Rav as engaging in such a contemplation prior to entering his court of law, as well as when he was being accompanied by a mass of people where there was potential for arrogance.

16. See the testimonies of R. Naftali Amsterdam and R. Isaac Blazer quoted in Katz, *Tenu'at ha-Musar*, 123-24.

17. The term *hitpa'alut* is already widely used in a *musar* context in R. Menaḥem Mendel Lefin's *Ḥeshbon ha-Nefesh* (this work will be discussed below). See R. Menaḥem Lefin, "Introduction to the Thirteen Chapters," *Ḥeshbon ha-Nefesh* (Kaidan, 1937), 30-35. The terms *hitbonenut* and *hitpa'alut* also appear prominently in the philosophy of Ḥabad. Indeed, R. Dov Baer of Lubavitch (1773-1827), known as the "Mitteler Rebbe," wrote two monographs titled *Kuntres ha-Hitbonenut* and *Kuntres ha-Hitpa'alut* respectively. Their use in Ḥabad, however, is in the context of mystical prayer. In brief, Ḥabad's usage of *hitbonenut* refers to contemplation of God's immanence in the world and *hitpa'alut* to ecstasy in prayer. These uses have limited relationship to their usage in Musar circles. For an extensive discussion of these concepts in Ḥabad, see Louis Jacobs, *Hasidic Prayer* (New York, 1978), 84-92, 98-103; Ada Rapoport-Albert, *Hasidism Reappraised* (London, 1997), 291-300, and index there; and Norman Lamm, *The Religious Thought of Hasidism: Text and Commentary* (Hoboken, NJ, 1999), 174-75. My thanks to the anonymous reviewer for alerting me to this parallel.

18. See Salanter, *Or Yisrael,* 6th letter, 49-50. For general discussion of this term/idea see Katz, 230-35, and Etkes, *Rabbi Israel Salanter*, 304-12. For discussion of the relationship between the *musar* philosophy of R. Lefin's *Ḥeshbon ha-Nefesh* and that of R. Salanter, see Etkes, 123-34. Compare Goldberg, *Israel Salanter,* 300-01 n.110. Also see

ficient to consider ideal attitudes and behaviors only occasionally and intellectually. Rather, he asserted, it is necessary to engage in frequent elaborative and emotional contemplation in order to affect these deeper, less accessible parts of the psyche. In discussing this practice, he writes:

> So that one become accustomed to this [*musar*] wisdom, whose ways branch into two, the first being to inflame the souls through the purification of thought, through these sublime studies [the study of *musar*]; to learn with lips on fire, with correct apprehension, depicting each idea in a broad manner, and bringing it close through familiar imaginings, until the heart gets excited, whether to a great or small extent. And thereby it will be empowered to prepare the limbs, to actualize every good deed on its behalf, whether by desire or by strength of will.[19]

In practice, an individual might choose a text or a saying on which to focus, and then contemplate the idea therein in as extensive a manner as possible, carefully considering its consequences and broadening it with tangible depictions to fully understand its significance.[20] This constitutes *hitbonenut.* The practitioner might then chant the text or the saying over and over in an emotional manner with an evocative sing-song, attempting to profoundly feel its significance. This emotional recitation is intended to evoke *hitpa'alut*. This repetition is not done in the manner of a monotonous mantra, but rather with an ebb and flow reflecting the fluctuations of the person's inner state. Regarding this chanting, R. Isaac Blazer, a foremost student of R. Salanter, writes:

> And therefore it is appropriate to repeat *musar* sayings many times over. And specifically, when one comes across a saying of the sages or some other words of *musar* by which he feels he would be affected and that would penetrate into the chambers of his heart, he should review and repeat it with deep affect many, many times. . . .[21]

A similar idea is expressed in R. Yisrael's words: "And he should repeat them many times over to be emotionally affected at the time."[22] R. Blazer attests that R. Salanter was wont to engage in such practice "in a very sweet tone that evoked sadness, at times repeating a saying with deep affect many, many times."[23] It was anticipated that by evoking such focus

R. Lefin, 30-31, §52-55 specifically.
19. *Or Yisrael,* 2nd letter, 42-43. All translations are my own unless otherwise noted.
20. Blazer, "*Sha'arei Or*," 33, §9.
21. Blazer, ibid.
22. Salanter, *Or Yisrael*, 92, postscript to 30th letter.
23. Ibid.

and emotion, a practitioner would be instilled with an emotional sensibility or even develop an instinctual response for the trait being developed. Concerning this, R. Yisrael writes: "From this will be born *subtle forces*[24] to help against the outstretched desire" ("מזה יולד כוחות הכהים לעזור כנגד התאוה הפרושה").[25] One who, for example, uses the value of seeking peace as the focus of this form of practice, would create greater emotional interest in its attainment, thus making it more likely that this person will act in a peaceful manner.

Ḥeshbon ha-Nefesh—Accounting of the Soul

Ḥeshbon ha-nefesh, an "accounting of the soul," is another classic *musar* practice. In its general form, the practice consists of setting aside a portion of one's day to critically consider one's way of living. The idea of such an accounting has ancient Jewish roots. In *Avot* (2:1), the *mishnah* already cautions us to "reckon (*hevei meḥashev*) the loss incurred through doing a *miẓvah* against its benefit, and the benefit of a transgression (*averah*) against its loss." A similar admonition appears in *Berakhot* (5a): "Said Rava or perhaps Rav Ḥisda: If a person sees suffering coming upon him, he should examine his deeds." R. Moshe Ḥayyim Luzzato (Ramḥal), writing in the early eighteenth century, places great emphasis on the need to make such an accounting daily.[26] Shortly thereafter, R. Mendel Lefin, the religious *maskil* from Podolia, wrote a work titled *Ḥeshbon ha-Nefesh* outlining a program for such an accounting.[27] R. Lefin's curriculum consisted of a weekly rotation of thirteen character traits, with each practiced in total for four weeks per year. These were of necessity to vary according to the needs of the individual.[28] Interestingly, R. Lefin apparently based his system on an identical program of character development advanced by Benjamin Franklin (1706-1790) in his autobiography.[29]

24. See note 22 above.
25. Salanter, *Or Yisrael,* 6th letter, p.50.
26. Moshe Ḥayyim Luzatto, *Mesillat Yesharim* (Jerusalem, 1988), chs.3, 32.
27. R. Lefin was born in 1749 (d. 1826), some 61 years before R. Salanter, in Satanow, a town in Podolia. Upon relocating to Berlin in 1780, he came under the influence of Moses Mendelssohn. For background information on R. Lefin and his work, I am indebted to Aharon Friedler, "The Thirteen Middos of . . . Rav Yisroel Salanter?," unpublished manuscript. For more on R. Lefin, see Nancy Sinkoff, *Out of the Shtetl: Making Jews Modern in the Polish Borderlands* (Atlanta, 2004), 1, 6-13.
28. See *Ḥeshbon ha-Nefesh*, 20-21, par. 22.
29. See Benjamin Franklin, *The Autobiography of Benjamin Franklin*, ed. Charles Eliot (New York, 1909), 76-82. Accessed via http://www2.hn.psu.edu/faculty/jmanis/

The need to critically examine one's deeds was the credo of the Musar movement, and the *Ḥeshbon* naturally became a trademark *musar* practice, in one form or another. R. Yisrael was very familiar with R. Lefin's work in particular, and even encouraged its republishing in 1845.[30] He is reported to have instructed his students to maintain a diary wherein they focused on thirteen traits.[31] The thirteen reported are identical to those delineated by R. Lefin except for one deviation: the version attributed to R. Yisrael has "Honor[ing others]" (*kavod*) in place of R. Lefin's "asceticism" (*perishut*).[32] R. Yosef Zundel had also made extensive use of R. Lefin's work, and large parts of it were found copied in his notes.[33]

The general intention of this practice is that the practitioner make a thorough reckoning of his character, attitudes, and behaviors, developing an intimate familiarity with the nuances of his character, his strengths and weaknesses, and keeping track of his daily activities and progress or lack thereof. Presumably, he would then proceed to lay out a plan of action for the coming days or weeks. Such foresight and advance planning was the "second branch" of *musar* wisdom, "whose ways branch into two."[34] R. Yisrael stressed that it is necessary to cultivate foresight and to prepare in advance strategies with which to handle challenging circumstances.[35] If one knows, for instance, that one is likely to get angry in certain situations, one might prepare in advance to intentionally speak slowly, or to count one's words while speaking, in those situations. R. Yisrael compared this to the strategizing appropriate for conducting warfare and emphasized the need to train "prior to the battle,"[36] that is, prior to the actual time of challenge.

franklin/a_b_benf.pdf (The Electronic Classics Series: Pennsylvania State University, 2012; ed. Jim Manis). This contention is well founded. See Etkes, *Rabbi Israel Salanter*, 125 and notes 19-21 there. Also see Katz, 260, n. 15.

30. Katz, 259, n. 12. This is also reported in the introductory pages of many of the reprints of *Ḥeshbon ha-Nefesh.*

31. R. Barukh Epstein, *Mekor Barukh*, vol. 2, p. 111, cited in Katz, 259-60. Maintaining a diary was a classical part of the *Ḥeshbon ha-Nefesh* practice, and even R. Yisrael maintained such a diary; see Katz, 290.

32. See Katz, 260.

33. See Eliezer Rivlin, *Ha-Ẓaddik Reb Yosef Zundel mi-Salant ve-Rabbotav* (Jerusalem, 1927), 49, 148, quoted in Katz, 127.

34. See the passage from *Or Yisrael* quoted above in the section on *Musar be-Hitbonenut*, which constitutes the first branch.

35. Salanter, 2nd letter, *Or Yisrael,* 42.

36. Ibid., 80. See also Katz, 260.

Practical Exercises in Times of Challenge

R. Yisrael espoused the necessity of ingraining theoretical attitudes by applying them to the challenges of daily life "through growing increasingly accustomed to enacting these in practice."[37] He emphasized that the mere cultivation of an attitude is insufficient; it is necessary to be able to evoke that attitude and behave accordingly under the pressures of real life. Indeed, the concern with the nitty-gritty of daily action is a signature characteristic of the Musar movement. This is probably in part a reflection of Judaism's obsession with correct action. Additionally, Alan Morinis notes insightfully that the practices of the Musar movement could not of necessity be inordinately time-consuming; the time of the *musar* student was already prioritized for Torah study.[38] Anything of the month-long, week-long, or even day-long genre was out of the question, certainly for the masses.[39] The focus was thus on the myriad small and "insignificant" actions that take place daily. It is thus very characteristic of the *musar* devotee to engage in a virtually infinite number of little actions throughout his day so as to cultivate and enhance desirable character traits and ways of being.

For the most part, these practices are spontaneous, not following a set schedule, order, or format. It would be impractical, even impossible, to describe all these practices individually—they are essentially infinite, limited by the individual's ingenuity and perseverance. What follows is an array of specific examples intended to provide a general idea of the nature and application of these practices. I have considered such actions

37. Salanter, *Or Yisrael*, 93. See Katz, 258-59, for further discussion.

38. Morinis, *Everyday Holiness*, 268.

39. R. Yosef Yoizel Hurvitz, the *Alter* (elder) of Novarodok, is a notable exception to this: He isolated himself in a room for about one and a half years to work on self-development. While there, he received his meals delivered through one of two windows—one for meat, the other for milk. This was not the only incidence of such seclusion. Indeed, over a period of many years, he spent most of his time in seclusion. For a wonderful summary of these retreats, see Katz, *Tenuʿat ha-Musar*, 4:157-63. This type of "retreat" is very rare in Musar circles—his may be the only such case. Indeed, the negative, surprised reactions of the *maskilim* and the government to his hermit-like practices would indicate that these kinds of practices were rare in the region in general. For comparison, it would be informative to survey the Christian monastic practices of the period, although even if similar practices were to be found, we would need to pay attention to whether these occurred behind monastery walls or in the public eye, as were those of the *Alter*.

developmental when they are engaged in for the purpose of inculcating a certain attitude or behavior. The same action performed as a natural expression of such an attitude has not been considered developmental. To illustrate, one can give charity as a means of nurturing generosity, or one can give charity out of compassion. The conscious motive of the former is to change one's character, and hence it is developmental; that of the latter is merely to alleviate the suffering of another, and is thus not developmental.

An inspiring exemplar of this type of practice is R. Salanter himself. Dov Katz reports that at times when R. Salanter seemed irate, he was observed to turn his face towards the wall and whisper to himself "anger of the face, not anger of the heart," a kind of impromptu self-admonishment intended to prevent misstep.[40] Some of R. Salanter's *kabbalot* (literally, assumed commitments) also serve as good examples. Among these are the commitment "to become accustomed to paying attention daily to the holy names [of God] at minimum during the evening prayer" and "that statements of Ḥazal which struck a chord in his heart should be readily on his tongue."[41] R. Yosef Zundel writes a similar admonition to his son: "And you should constantly repeat verses of Divine Providence, *bittaḥon* [trust in God] and salvation."[42]

A rich array of these exercises is provided by R. Simḥah Zissel Ziv, the *Alter* (elder) of Kelm.[43] The following are some of these practices: "When one closes a door, let him look back to ensure it is closed properly"; "When you walk through a group of people, take care not to push another"; "Don't look out the windows unnecessarily"; "If one has news to share, let him restrain himself for a quarter hour at minimum"; "If one asks you for your counsel, do not answer immediately, but rather wait five seconds"; "If one must articulate something, let him first contemplate and arrange his words." A legendary practice of the *Alter* of Kelm was to don and button up his coat prior to reacting when angered.[44] The *Alter* and his school in Kelm were in general famous for their insistence

40. Katz, 1:309-10. This whispered statement is probably based on Maimonides, who forswears any form of anger and states that one should manifest anger only externally and never experience it internally. See Maimonides, *Mishneh Torah*, *Hilkhot De'ot* 2:3. My thanks to the anonymous reviewer for pointing this out.
41. *Or ha-Musar*, 11; *Sha'arei Ẓiyyon,* Kislev-Shevat 1933 (5693); both quoted in Katz, 1:248.
42. Letters 24-25 in *Or Yisrael*, 69-70.
43. This collection of examples is found in Katz, 2:126.
44. Morinis, *Every Day, Holy Day,* 90.

on order and precision, and on the similar demand for one not to touch something which was not theirs.[45]

The most radical examples of these exercises are to be found in the Novarodok school of Musar, a likely reflection of the very radical nature of its founder and leader, R. Yosef Yoizel Hurvitz.[46] The "*peules*" (in the Yiddish pronounciation) or "developmental acts" of its students were an oft discussed topic in Jewish Eastern Europe. The proverbial *peuleh* had the student walk into a hardware store and ask for some milk or into the grocery and ask for some nails. Another form of this would be a yeshivah student approaching a couple in the street and asking them to inform him what the Torah portion of the week was.[47] Reflecting the rather unique and radical approach of Novarodok, these particular practices had somewhat of a different focus than most of those previously described: they were intended to develop the student's ability to function independently of others' opinions. One eyewitness reports that he saw these radical acts completely transform the comportment of students.[48] Reserved students who previously were quiet introverts rapidly became significantly more extroverted and entirely comfortable in public settings.[49]

Intensive Study of Halakhic Texts Pertaining to Areas of Weakness

Another practice recommended by R. Salanter was the intensive analytical study of the *halakhot* germane to a given area of weakness.[50] This is best done, he says, when the learning is focused on determining what is actually permitted and forbidden and when one learns with the intention of actualizing this learning in practice (*al menat la'asot*).[51] For instance,

45. There is a famous legend about an item that was left on a window sill in Kelm and which remained there for many years. Those cleaning the yeshiva—a task for which students competed—were said to lift it up, clean beneath, and replace it.
46. See note 39 above.
47. Every Jewish preschool child would be able to answer this question; it is roughly the equivalent of a college student asking someone for help in calculating the sum of 2 + 2.
48. See Moshe Silberberg, "Novarodok," in *Memoirs of the Lithuanian Yeshiva (Pirkei Zikhronot Yeshivot Litta)*, ed. Immanuel Etkes and Shlomo Tikochinski (Jerusalem, 2004), 365-66.
49. The reader interested in reviewing more of these practices is encouraged to consult Morinis's *Everyday Holiness,* and idem, *Climbing Jacob's Ladder*, (Boston, 2002), both very accessible and informative lay works.
50. Salanter, "*Iggeret ha-Musar*," *Or Yisrael,* 106-8. See also Katz, 1:256.
51. Salanter, ibid.

R. Salanter advocated popular study of *Ḥoshen Mishpat*, the section of the *Shulḥan Arukh* that deals with monetary law. He writes that such study would slowly influence the masses towards more upstanding and honest conduct in monetary matters.[52] This halakhic study, he says, should be commensurate with the degree of deficiency in the given area, "as in the manner of remedies for physical illness, in which according to the degree of the illness is the degree of the remedy, in both quality and quantity."[53] R. Yisrael felt that such sincere study serves as a "physical remedy" for the maladies of the soul, one that operates completely through a natural, rational medium.[54]

Prayer as a Musar Practice

Prayer has always been a central part of the Jew's religious life, and as such appears in some form in all Jewish spiritual movements. The purpose of prayer can be framed very generally in one of two ways. Prayer can be viewed as a means of causing an external effect, a method of "influencing God's will" and/or changing the natural progression of events through some supernatural means. It can also be seen as a means of influencing one's character, the nurturing of an internal change through the various contemplations involved. Take, for example, praying for the sick. One can pray for the sick in an attempt to effect an improvement in their condition through intercessory prayer; this would be an external focus. One can also pray for the sick as a means of deepening compassion and concern for the suffering of fellow human beings. These two goals need not be mutually exclusive. In considering prayer as a developmental practice, however, it is important to distinguish between these two viewpoints. Prayer as a means of affecting one's character is surely a developmental practice. Whether prayer conceived of as a means of affecting some external or supernatural effect is to be considered such is highly doubtful.

One first encounters a form of prayer with a uniquely Musar bent in the writings of R. Yosef Zundel of Salant. We possess copies of numerous prayer texts composed by him, beseeching God for help in changing his

52. Ibid. See also Katz, 1:246.

53. Ibid.

54. In this letter, R. Salanter also stresses that Torah learning exercises a protective effect through a spiritual medium, "which man's intellect and senses strain in vain to understand its reason [i.e. *modus operandi*]." But this effect, he emphasizes, occurs with study of any Torah area and not just with study pertinent to the given area of weakness.

character and/or confessing his failings to God. Here is part of the text of two such prayers:

> Teach me, God, your way, I shall go in your truth; unify my heart to fear your name, uncover my eyes so I may see wondrous things in your Torah. And with regard to that in which I have already erred, place me on the truth. To do your will, my God, I desired, and your Torah is in my innards. . . . My soul yearns and even pines to heed your commandments.[55]

> God! You are my Deity, I shall hope to you, my soul thirsts for you, my flesh pines for you. Hear O God, be gracious to me, and lead me along a path of integrity. Turn my heart to your directives, and not to monetary gain. . . . Return, O God, liberate my soul, for my life dwindles in anguish, and my years with groaning.[56]

Prayers of this genre appear in older Jewish literature as well, the most obvious example being the many psalms that request God's help in self-purification. A prayer containing similar elements is Baḥya ibn Pakuda's *bakkashah* (supplication) at the end of his *Ḥovot ha-Levavot*.[57] Admonitions to pray for assistance with acquiring spiritual knowledge, arguably a form of development, are found in Maimonides as well.[58] While the content of these prayers seems to fit prayer in the first sense—namely, attempting to influence God's will—it surely serves to naturally affect one's psychology as well, intentionally or otherwise. These deeply emotional requests are certainly a very powerful exercise in values contemplation, a powerful meditation sure to deeply affect one's emotional character. R. Yosef Zundel, or for that matter anyone so involved in this type of prayer, was probably very much aware of the effects of constant refocusing through such prayer, and this activity thus fits our criteria for a developmental practice.

Turning to R. Salanter, we find him exhorting his students to assemble periodically with a *minyan* to pray together regarding their spiritual desire (*yeẓer ha-ruḥani*).[59] A lengthy description of this form of prayer is found in a report by R. Isaac Blazer.[60] At one time, R. Yisrael secluded himself for

55. See Rivlin, *Ha-Ẓaddik*, 61-62, quoted in Katz, 125-26.
56. Ibid.
57. Baḥya ibn Pakuda, *Ḥovot ha-Levavot*, ed. A. Ziphroni, (Jerusalem, 1928), 280-92. This *bakkashah* is not found in all editions, having first been restored from manuscript in 1854.
58. See his *Introduction to Commentary on the Mishnah* and *Hilkhot Teshuvah* 6:4-5. See also Marvin Fox, "Prayer and the Religious Life," in *Interpreting Maimonides* (Chicago, 1990), 301.
59. 6th letter, *Or Yisrael,* 50.
60. Blazer, "*Netivot Or*," in *Or Yisrael*, 121.

a lengthy period in Aleksot, a suburb of Kovna, where he remained for the course of the week, returning only on the Sabbath. In Aleksot, he would be visited once a week by enough students to form a *minyan*, to whom he would then deliver an intense sermon. R. Blazer writes:

> In the middle of the sermon, he would begin to say words of reproof and spiritual awakening with great excitement, until our hearts melted, and he would weep a great deal. He would repeatedly arouse us to prepare ourselves to beseech mercy from Him [God], may he be blessed, concerning spiritual matters. Then, in the middle of the "awakening," he would recite a verse in praise of God, and then some verse imploring mercy, such as "Return us to You, O God."[61] . . . And we prayed together with him in public concerning the spiritual Evil Impulse, to remove the heart of stone from our flesh and to purify our hearts to serve Him in truth.[62]

R. Yisrael is seen here exhorting his students to first prepare themselves "to beseech mercy from Him"—an admonition which probably served to increase the focus and seriousness with which the actual prayer was approached. He would then proceed to pray in an impassioned manner along with those assembled for God to "Return us" or "to purify our hearts to serve him in truth." One can almost hear the plaintive, piercing supplications emanating from the suburbs of Kovna.

Conclusion

Developmental practices are potentially innumerable in their diversity, and the sampling provided above offers a glimpse of this diversity. In the history of R. Salanter and the Musar movement in general, such practices are to be found in an almost endless variety of forms and locations, limited only by the creativity and persistence of the individual practitioner. Religious self-development was the central preoccupation of *musar* students, and every opportunity for advancing this program by using old practices or creating new ones was understandably used.

I conclude this essay with a short discussion of the possibilities offered by contemporary psychology for expanding *musar*'s understanding of character development and for creating new *musar* practices. R. Yisrael was not averse to learning from secular sources, and it is a fair presumption that R. Yisrael would have been happy to adopt and

61. "*Hashivenu Hashem elekha ve-nashuvah*," Lam. 5:21.
62. Translation is from Etkes, *Rabbi Israel Salanter*, trans. Chipman, 233.

adapt contemporary psychological understanding and techniques to the *musar* cause. In the view of some, R. Yisrael's musar philosophy itself borrowed Kantian concepts and terminology.[63] It is immaterial whether this came from direct reading of Kant: there is sufficient evidence that R. Yisrael studied and requisitioned secular works, at a minimum for the purpose of clarifying Torah subjects.[64]

Psychology can contribute to *musar* by sharing its understanding of character development in general, as well as through sharing many specific practices for personal development. Regarding the former, psychological research has vastly expanded our understanding of the roots of the adult personality. While it seems R. Yisrael believed that character traits were to a large degree inborn or given by God,[65] modern psychology has demonstrated just how much a child's environment ("nurture") plays a critical role in shaping that person's nature and behavior for life.[66] For example, some very good research shows that the manner in which children are praised and criticized plays a seminal role in developing their sense of self-worth and shaping their motivation.[67] Briefly, praise that is person oriented—"good girl," "bad boy," "you're so smart"—leads children to link success to their intrinsic qualities, and to develop a "fixed mindset," that is, the belief that people have fixed, inherent qualities, and that success or failure are a product of these qualities. Children—and adults—who think this way find failure threatening (in their view, it says something about their inherent capabilities and worth), and are much less likely to persist in the face of challenge. Correlatively, they will find the success of others

63. See Etkes, *Rabbi Israel Salanter*, 304-05.

64. See ibid., 244 and 287 n. 14. But cf. Mark Steiner, "Rabbi Israel Salanter as a Jewish Philosopher," *Torah u-Madda Journal* 9 (2000): 42-57, for a portrayal of R. Yisrael as decidedly not engaged in or inclined towards secular philosophy.

65. As implied, for instance, in this quote: "Do not say that what God has made cannot be altered, and that because He, may He be blessed, has planted within me an evil force I cannot hope to uproot it" (*Kitvei R. Yisrael Salanter*, ed. Mordechai Pechter [Jerusalem, 1972], 125, quoted and translated in Etkes, *Rabbi Israel Salanter*, 289).

66. It would be facile to believe that R. Yisrael, or for that matter, many thoughtful people before Freud, did not believe that environment shapes a child. This was already stated in Proverbs (22:6)—"*Ḥanokh la-naʿar al pi darko gam ki yazkin lo yasur mimmennu*" ("Train the child in his manner, even when he ages he shall not stray from it.") Psychology, however, has clarified just how influenced people are by their childhood environment, and revealed many nuanced and previously unknown ways in which it shapes them.

67. This account is based on Carol S. Dweck, *Mindset: The New Psychology of Success* (New York, 2007), 3-12, 172-82.

threatening, rather than as an opportunity to learn or a merely neutral occurrence. By contrast, praise that is process oriented—"I like how you tried so hard," or "You used such nice colors"—causes children to adopt a "growth mindset" linking success to process or effort. In the growth mindset, failure is just part of learning, not a statement about your inherent capabilities, and these children find a challenge exciting. These mindsets go a long way towards explaining much of adult behavior. Why are some people more likely to be jealous of others' successes? Why is one person more likely to give up or lose motivation in the face of challenge? These are critical questions for the *musar* student in the quest for character perfection. It would seem natural then for the *musar* devotee to be concerned with adopting insights of this type and allowing them to shape his or her behavior as a religious imperative.

An example of a specific psychological tool very suitable for use as a *musar* practice is a technique often used in addiction for dealing with strong impulses called "urge surfing."[68] R. Naphtali Amsterdam relates that he asked R. Yisrael for a cure for anger. The latter told him to nurture goodness towards others, and that this attitude of lovingkindness combined with the good reputation one procures thereby will enable one not to get angry. Urge surfing offers an entirely different approach. In urge surfing, one acknowledges the strong impulse—say an urge to act angrily—and recognizes that it is not in accord with one's values, and then allows oneself to experience and observe the urge, "making room for it" until it subsides. Originally developed for addictive urges, it can be used for any problematic impulse, and would be a very useful practice for the *musar* student trying to control and channel impulses and behaviors.

These are two illustrations of the potential cross-fertilization between *musar* and contemporary psychology. While the dynamism of pre-war *musar* study and practice has largely been lost, this pairing offers the possibility of a renewed and enhanced *musar* program for the 21st century.

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68. See, e.g., Sarah Bowen and Alan Marlatt, "Surfing the Urge: Brief Mindfulness-Based Intervention for College Student Smokers," *Psychology of Addictive Behaviors*, 23,4 (2009), 666-671.

URI ZUR

R. Yoḥanan's Attitude Toward His Principles of Halakhic Arbitration

Both the Talmud Bavli and Talmud Yerushalmi record a number of general rules in the name of R. Yoḥanan that pertain to the resolution of halakhic disputes.[1] These principles of halakhic arbitration are intended to mark the power relations among a number of different *Tanna'im*, determining whose view is to prevail and according to whose approach the *halakhah* should be determined in any case of dispute.

The Bavli in *Eruvin* cites a number of these general halakhic principles in the name of R. Yoḥanan:

> Said R. Yaakov bar Idi: Said R. Yoḥanan: R. Meir and R. Yehudah—the *halakhah* is in accordance with R. Yehudah. R. Yehudah and R. Yosei—the *halakhah* is in accordance with R. Yosei; and, needless to say, R. Meir and R. Yosei—the *halakhah* is in accordance with R. Yosei. . . . For R. Abba has said: Said R. Yoḥanan: [The rule is that in a dispute between] R. Yehudah and R. Shimon, the *halakhah* is in accordance with R. Yehudah.[2]

In the talmudic discussion that follows, it is evident that the *Amora'im* R. Yoḥanan and Rav debate the question of whether these general halakhic

1. *Eruvin* 46b; Y. *Terumot* 3:1, 42a.
2. *Eruvin* 46b. Translations of source texts are by the author.

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principles are absolutely binding upon other *Amora'im*, who must therefore resolve halakhic disputes based on these principles alone. The talmudic discussion closes with the explanatory note that the general halakhic principles under discussion "are not the universal view," meaning that not everyone is in agreement with these principles. Rav, for instance, is not, and for this reason he is not obligated to issue halakhic rulings in accordance with these general principles. The words of R. Yoḥanan, by contrast, indicate that in his view, halakhic rulings must be issued in accordance with the general principles specified.[3]

In the opinion of the commentators, R. Yoḥanan's approach is the determining one, given that in cases of dispute between R. Yoḥanan and Rav, the *halakhah* is determined in accordance with the view of R. Yoḥanan.[4] It can therefore be assumed that R. Yoḥanan resolves halakhic questions in accordance with the general rules of halakhic arbitration that he has himself specified vis-à-vis the *Tanna'im* listed above.

Indeed, in many cases, R. Yoḥanan does resolve issues following the halakhic principles he himself establishes.[5] But there are also cases in which R. Yoḥanan does not appear to abide by his own general rules. The purpose of the present paper is to assess whether R. Yoḥanan does, in fact, follow his own halakhic principles in an absolute and unswerving manner. What is R. Yoḥanan's approach to these principles of Halakhah?

A number of studies have addressed R. Yoḥanan's halakhic arbitration principles in the Bavli and have demonstrated that R. Yoḥanan was not always consistent vis-à-vis the different halakhic rules that he established.[6] This is true not only regarding the rules presented in *Eruvin*, but also regarding other general halakhic rules, such as, "The *halakhah* follows the statement cited anonymously in the Mishnah."[7] The present

3. *Eruvin* 47b.
4. *Beiẓah* 4b.
5. See, for example, *Berakhot* 52b; *Yoma* 12b-13a.
6. See Yehuda Brandes, "The Beginning of the Rules of Halakhic Adjudication" (Hebrew) (Dissertation, Hebrew University: Jerusalem, 2002); Paul Heger, *The Pluralistic Halakhah* (Berlin and New York, 2003), 256, n. 89; Brandes, "*Mahapekhat ha-Pesikah shel R. Yoḥanan: Kelalei ha-Pesikah*," in *Be-Darkhei Shalom*: *Studies in Jewish Thought Presented to Shalom Rosenberg*, ed. Benjamin Ish-Shalom (Jerusalem, 2007), 515-35; Yizhak Dov Gilat, "*Lo Titgodedu*," *Annual of Bar-Ilan University*: *Studies in Judaica and the Humanities* vol. 18, ed. Menachem Zevi Kaddari, Nathaniel Katzburg, and Daniel Sperber (Bar Ilan University, 1981), 84 n. 26; Ephraim Bezalel Halivni, *The Rules for Deciding Halakhah in The Talmud* (Hebrew) (Lod, 1998), 99-100; Richard Hidary, *Dispute for the Sake of Heaven: Legal Pluralism in the Talmud* (Providence, RI, 2010), 61.
7. See, for example, *Shabbat* 46a.

study reaches the same conclusion, thus endorsing the view presented in earlier studies: R. Yoḥanan is not consistent and does not always rule in accordance with the general halakhic principles that he himself established.

This article is a focused attempt to trace the instances in which R. Yoḥanan deviates from the various halakhic arbitration principles that he dictated. We will analyze R. Yoḥanan's approach to a variety of different passages, some of which have not been cited in previous literature on the topic.

We will examine this question through discussion of the cases of deviation, comparison with parallel sources in the Bavli, Yerushalmi, and other texts, and review of the opinions of commentators regarding R. Yoḥanan's deviation from these general principles. Based on this analysis, we will see that R. Yoḥanan does ultimately deviate from the rules that he establishes, and we will attempt to adduce a reason for his doing so.[8]

8. *Ein Zokher* 43, p. 47b; Halivni, *The Rules for Deciding Halakhah*, 39, 47; Hidary, *Dispute for the Sake of Heaven*, 53.

As noted, R. Yoḥanan's principles of halakhic arbitration are also found in the Talmud Yerushalmi. Although the focus of the present study is R. Yoḥanan's attitude toward his halakhic principles in the Bavli, as a backdrop to our study, we will note two examples of R. Yoḥanan's deviation from those principles in the Yerushalmi.

The first case regards a dispute regarding the halakhic definition of one's master teacher:

> Who is he who is one's master, having taught him wisdom? Anyone who first introduced him [to learning]; these are the words of R. Meir. R. Yudan says: Anyone from whom one learned most of his learning. R. Yosei says: Anyone who has lit up his eye in his learning. Rav [says] as R. Meir; R. Yoḥanan [says] as R. Yudah [In the Talmud Yerushalmi, R. Yehudah is sometimes called R. Yudan and sometimes R. Yudah—U. Z.]. Shmuel [says] as R. Yosei (Y. *Bava Metzi'a* 2:12, 8d; cf. Y. *Horayot* 3:4, 48b).

According to R. Yoḥanan's halakhic arbitration rules, in cases of dispute between R. Yehudah and R. Yosei, the *halakhah* is decided in accordance with R. Yosei, just as in debates between R. Meir and R. Yosei, the *halakhah* is determined in accordance with R. Yosei. We would therefore expect that in this debate between R. Meir, R. Yehudah [=R. Yudan, R. Yudah], and R. Yosei, R. Yoḥanan would issue a halakhic decision in accordance with R. Yosei. Instead, in this case, R. Yoḥanan determines that the *halakhah* follows the view of R. Yehudah, not that of R. Yosei, going against the halakhic principles he himself established.

The second case involves the question of the permissibility of a basket of leeks found during the seventh year (*shemittah*):

> Someone brought up the matter concerning a basket of leeks. . . . He asked R. Yoḥanan. . . . Rabbi [Yehudah Ha-Nasi] says: As per its place; R. Eleazar b. R. Shimon says: As per its station. . . . And he ruled concerning it according to R. Eleazar b. R. Shimon, as per its station. . . . Rabba bar Kohen queried before R.

"R. Meir and R. Yehudah—The Halakhah is in Accordance with R. Yehudah"

Ke-zayit vs. *Ke-beiẓah*

The *mishnah* in *Berakhot* cites a dispute regarding the obligation of *zimmun*, the summons to participate in reciting *Birkat ha-Mazon*:

> Beginning from what quantity [of food eaten] is [participation in a] *zimmun* required? Beginning from a quantity equivalent to an olive (*ke-zayit*); R. Yehudah says: From the equivalent of an egg (*ke-beiẓah*).[9]

While the *mishnah* makes no mention of who the opponent of R. Yehudah's view is,[10] the subsequent talmudic discussion makes clear that it is R. Meir who maintains that eating the quantity of a *ke-zayit* obligates one to participate in a *zimmun*.[11] The Talmud raises a question based on a *mishnah* in *Berakhot* that indicates that R. Yehudah attributes significance to the measurement of a *ke-zayit*, whereas R. Meir emphasizes the measurement of a *ke-beiẓah*. To resolve this apparent contradiction, the Talmud states, "R. Yoḥanan said: The approaches have been reversed." In the view of R. Yoḥanan, the *mishnah* in *Berakhot* mistakenly attributes the views to the *Tanna'im*; the views of R. Yehudah and R. Meir recorded there should be switched. In fact, R. Yehudah maintains that the minimum quantity is a *ke-zayit*, while R. Meir claims that it is a *ke-beiẓah*.

Tosafot explain:

> The *halakhah* follows the view [that one must join the *zimmun* upon eating the equivalent] of a *ke-zayit*, for according to R. Yoḥanan's reversal,

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> Yosei: Did not R. Ḥiyya say in the name of R. Yoḥanan: [In a dispute between] Rabbi and his associates, the *halakhah* follows Rabbi? While R. Yonah said: And even Rabbi by R. Eleazar b. R. Shimon (Y. *Demai* 2:1, 22d).

R. Yehudah Ha-Nasi and R. Eleazar b. R. Shimon dispute whether the permissibility of the leeks is determined by the place where the item is brought ("as per its place") or by the place where it is found ("as per its station"). (According to *Penei Mosheh*, R. Eleazar's view is the more stringent approach; according to the Gaon of Vilna, cited in *Gilyon Efrayim*, this position reflects the more lenient attitude.) R. Yoḥanan rules in accordance with R. Eleazar b. R. Shimon, against Rabbi and against a general principle of his own: "Rabbi and his associates—the *halakhah* follows Rabbi." In the ensuing talmudic discussion, bewilderment is expressed regarding R. Yoḥanan's ruling in opposition to his own general principle, and the Talmud provides an explanation of this perplexity.

9. *Berakhot* 3:1 (45a). See Rashi, *Berakhot* 45a, s.v. *ad kammah*.

10. See also Y. *Pesaḥim* 3:8, 30b.

11. *Berakhot* 49b.

> R. Yehudah maintained a *ke-zayit*,[12] and [the rule is that in a dispute between] R. Meir and R. Yehudah—the *halakhah* is in accordance with the view of R. Yehudah.[13]

The final *halakhah* is that it is necessary to eat only a *ke-zayit*. Accordingly, R. Yoḥanan reverses the approaches of the Sages in order to make them correspond to the general rule that he has specified: "R. Meir and R. Yehudah—the *halakhah* is in accordance with R. Yehudah."[14]

Abbayei, however, insists that the views are attributed properly: "Never reverse." He offers another explanation for the discrepancy between the views presented in *Berakhot*. In Abbayei's view, R. Yoḥanan actually rules in accordance with R. Meir in this case. Tosafot explain:

> And similarly, for Abbayei, who does not reverse [the approaches of R. Meir and R. Yehudah, as does R. Yoḥanan], R. Meir thus maintains a *ke-zayit*, and it seems that the *halakhah* follows R. Meir that it is the amount of a *ke-zayit*. Even though generally in a dispute between R. Meir and R. Yehudah, the *halakhah* is in accordance with R. Yehudah, in this case, the *halakhah* is in accordance with R. Meir. For R. Yoḥanan maintains his approach above that one cannot exempt others from their obligation unless he has eaten a *ke-zayit*, and we also find above that he [recited a blessing when he] ate a *ke-zayit* of salted olives.[15]

It is clear from elsewhere in the Talmud that R. Yoḥanan himself follows the view that a *ke-zayit* is the significant measurement;[16] it is similarly clear that there is no debate concerning the fact that only a *ke-zayit* in necessary to require a blessing.[17] In the view of Abbayei, given that it is R. Meir who maintains that a *ke-zayit* is necessary and given that R. Yoḥanan himself must maintain that a *ke-zayit* is necessary, R. Yoḥanan follows a position in accordance with the view of R. Meir. This means that R. Yoḥanan goes against the general rule that he himself established: "R. Meir and R. Yehudah—the *halakhah* is in accordance with the view of R. Yehudah."

A concurring view emerges from a different passage of Tosafot as well:

12. Y. *Berakhot* 7:2, 11b.
13. Tosafot, *Berakhot* 49b, s.v. *R. Meir*.
14. *Midrash Tanna'im on Deuteronomy*, ed. David Ẓevi Hoffmann (Berlin 1908), 188, n. 400.
15. Tosafot, *Berakhot* 49b, s. v. R. Meir.
16. *Berakhot* 38b (cited in Tosafot, *Berakhot* 49b); cf. Y. *Berakhot* 6:1.
17. *Mar'eh ha-Panim*, *Berakhot* 6:1, s.v. *mah avad*.

> It seems to Rabbi that the *halakhah* is not in accordance with R. Yehudah,[18] who requires below (*Yoma* 79b) and in *Berakhot* (45a) that a *ke-beiẓah* is required in the context of reciting a blessing. The view of R. Ẓadok[19] in the conclusion (*Yoma* 79a-b) and in *Sukkah* (26b) is similar. Rather, we follow the view of R. Meir, who said: With an amount of a *ke-zayit*. Although it is said: R. Meir and R. Yehudah—the *halakhah* is in accordance with the view of R. Yehudah, in this case, the *halakhah* is in accordance with R. Meir, as R. Yoḥanan upholds his approach, as is noted in *Berakhot* (38b): "I have seen R. Yoḥanan eating the amount equivalent to an olive of salted olives and reciting the blessing upon it, both before and after."[20] And it is also said there: "One does not exempt others from their obligation unless he has himself eaten an amount of grain equivalent in size to an olive." In *Pesaḥim* (49b), there are those who say that the approaches have been reversed. . . .[21]

R. Yoḥanan himself adopts the approach of R. Meir, and the *halakhah* therefore follows that view, despite the fact that according to the principle that R. Yoḥanan established, he should have followed the approach of R. Yehudah.[22]

Thus, according to Abbayei ("Never reverse"), R. Yoḥanan's ruling contradicts his own principle. R. Yoḥanan ("the approaches have been reversed") adheres to his principle, personally adopting R. Yehudah's ruling. Indeed, his resolution indicates how far one can go in order to arbitrate halakhic issues in accordance with the general principles that he has established.

The debate in *Berakhot* also appears in the *She'iltot*:

> How much is one obligated to recite a blessing afterwards, and how much entails an obligation of *zimmun*—the quantity of a *ke-zayit* or a *ke-beiẓah*? A debate ensued concerning this between R. Meir and R. Yehudah, as we learn from tannaitic sources: From what quantity is a *zimmun* called for? R. Meir says: a *ke-zayit*; R. Yehudah says: a *ke-beiẓah*. . . . And the *halakhah* is in accordance with R. Yehudah, for we maintain the rule that in cases of dispute between R. Meir and R. Yehudah, the *halakhah* is in accordance with R. Yehudah. Or is it that R. Meir's argument is reasonable in this case, seeing that this is comparable to all the situations of eating as described in the Torah? Come and hear, for R. Ḥiyya b. Abba

18. Hence, it follows that Rabbi is also not necessarily required to rule in accordance with these general principles of Halakhah.
19. *Halakhot Gedolot*, *Hilkhot Sukkah,* vol. I, ed. Ezriel Hildesheimer (Jerusalem 1972), 338-339.
20. *Berakhot* 38b; Tosafot, *Yoma* 79a, s.v. *ve-lo.*
21. *Tosafot Yeshanim*, *Yoma* 79a, s.v. *paḥot.*
22. Cf. Responsa *Ḥavot Ya'ir* I:#294, p. 278, s.v. *R. Meir.*

> said: I have seen R. Yoḥanan partake of an olive's size's worth of salted olives and recite a blessing upon it both at the beginning and at the end. And it is also stated: Said R. Ḥinena b. Yehudah in the name of Rava: The *halakhah* is that if one has drunk a cup of wine or eaten a single kernel, let him join the quorum of ten, while as for performing a recitation so as to exempt the obligation of a group, this cannot be done unless he has eaten a *ke-zayit* of grain. This is reasoning as per R. Meir.[23]

According to the version in the *She'iltot*, there is some hesitation as to the right way to proceed in practice. Should we follow the general halakhic principle specifying that in cases of dispute between R. Meir and R. Yehudah, the *halakhah* is in accordance with R. Yehudah? Or should we rule in accordance with R. Meir's view, insofar as his argument is compelling and reasonable? According to R. Ḥiyya bar Abba, R. Yoḥanan ate an olive's size worth of salted olives, which is to say that R. Yoḥanan went against the general rule. Considering that the *halakhah* has been stated in the name of Rava, "A quantity of grain equivalent to a *ke-zayit*," the author of the *She'iltot* is of the opinion that it is correct to act in accordance with R. Meir and against the general principle of halakhic arbitration.

The wording used by the author of the *Halakhot Gedolot* also makes it apparent that R. Yoḥanan is going against the principle that he has himself established:

> From what amount of food is a *zimmun* required? From a *ke-zayit*. R. Yehudah says: From a *ke-beiẓah*. . . . Even though "R. Meir and R. Yehudah—the *halakhah* is in accordance with R. Yehudah," in this case, the *halakhah* is in accordance with R. Meir, since R. Yoḥanan upheld his approach, for R. Ḥiyya bar Abba said: I have seen R. Yoḥanan eat an olive's worth of salted olives and recite the blessing for it at the beginning and at the end.[24]

It should be noted that both the text of the *She'iltot* and that of *Halakhot Gedolot* omit the words of R. Yoḥanan, "The approach is reversed," according to which R. Yoḥanan indeed follows the view of R. Yehudah. According to both sources, it follows that R. Yoḥanan follows R. Meir's approach, in opposition to the rule he enacted to follow R. Yehudah.

23. *She'iltot de-Rav Aḥai Gaon*, ed. Samuel K. Mirsky, vol. 2 (Jerusalem, 1964), 125-26; *Bi'urim ve-He'arot*, ad loc.

24. *Halakhot Gedolot* (Venice), ed. Avraham Shim'on Troib, *Hilkhot Berakhot* 7, p. 22; see also *Halakhot Gedolot*, *Hilkhot Birkat ha-Mazon*, ed. E. Hildesheimer (Jerusalem 1972), vol. 1, 129-30.

Heir Exchange of Sacrifices

The approach of R. Yoḥanan to this rule is also relevant in the discussion of whether one who has received an inheritance can make substitutions for a sacrificial animal designated by his father. R. Meir and R. Yehudah dispute this question:

> We learn in a *baraita*: An heir makes substitutions and an heir lays his hands on the sacrifice, according to the words of R. Meir. R. Yehudah says: An heir does not lay his hands on the sacrificial animal and an heir does not make substitutions.[25]

According to R. Meir, an heir who substitutes a different animal for one originally designated for sacrificial purposes by his father while his father was still living has performed a valid action.[26] R. Yehudah maintains that such a substitution is invalid. Similarly, according to R. Meir, an heir can lay his hands on an animal originally designated as a sacrifice by his father, who was not able himself to offer the sacrifice at the Temple before his death.[27] R. Yehudah, in contrast, argues that he cannot do so.

A text cited in the *gemara*'s discussion and elsewhere reads: "Everyone may make substitutions—including what cases? Including an heir, against the view of R. Yehudah."[28] R. Yoḥanan similarly rules elsewhere:

> If one left an animal to his two sons, and he then died—it is offered, and no substitutions are made for it. . . . For Scripture said, "If he should exchange . . . ," which includes exchanging done by an heir. One makes exchanges, but two do not make exchanges.[29]

In other words, R. Yoḥanan rules according to the view of R. Meir, that heirs may generally execute exchanges of sacrifices.

Tosafot express puzzlement regarding this point:

> This amounts to saying that according to R. Yoḥanan, an heir can make substitutions, and that is puzzling, as "R. Yoḥanan said: R. Meir and R. Yehudah—the *halakhah* follows R. Yehudah."[30]

R. Yoḥanan proceeds in opposition to a general halakhic principle that he himself had established.

25. *Temurah* 2a.
26. Rashi ad loc., s.v. *yoresh*.
27. Rashi ad loc., s.v. *yoresh somekh*.
28. *Temurah* 3a; *Arakhin* 2a.
29. *Zevaḥim* 5b-6a.
30. Tosafot, *Zevaḥim* 6a, s.v. *eḥad*.

In light of this question, the author of the responsa *Sofer ha-Melekh* writes:

> But what is the difficulty? Here, R. Yoḥanan is for his own part evidently of an opinion tallying with R. Meir's over that of R. Yehudah, even though the *halakhah* does not correspond to this view, since the arbitrated normative *halakhah* is "R. Meir and R. Yehudah—the *halakhah* is in accordance with R. Yehudah." . . . In any case, it is generally problematic to say that R. Yoḥanan expresses an opinion in opposition to his own halakhic statements.[31]

The *Sofer ha-Melekh* attempts to resolve the question raised by Tosafot by resorting to the argument that R. Yoḥanan's personal opinion was identical to R. Meir's view, and not to R. Yehudah's, against the general halakhic rule that he himself established. Nevertheless, the author of the responsum admits that it is problematic to claim that R. Yoḥanan maintains a view that runs counter to his own halakhic enactment.

A Relative Who Became Distant

Another instance is found in the debate between the unnamed *Tanna Kamma* (R. Meir; "*stam mishnah R. Meir*," *Sanhedrin* 86a) and R. Yehudah on the topic of "a relative who became distant."[32] The discussion revolves around the case of a witness who was a relative of one of the litigants—such as his daughter's husband—and then became "distant" (i.e., no longer related) because the daughter died before the event was witnessed. According to R. Meir, such a person is not considered a relative; he is therefore a valid witness and is permitted to testify. According to R. Yehudah, however, if the daughter who passed away has left children to the son-in-law, the erstwhile son-in-law is still considered a relative of her father and is an invalid witness.[33]

The ensuing discussion of the issue in the Talmud involves a dispute about arbitrating the *halakhah* in practice. According to the position reported in the name of Rav, "The *halakhah* is in accordance with R. Yehudah," while according to Rava in the name of R. Naḥman and Rabbah b. Bar Ḥanah in the name of R. Yoḥanan, "The *halakhah* is not in accordance with R. Yehudah."[34] Accordingly, R. Yoḥanan rules in accordance with R. Meir and against R. Yehudah, thus going against the general halakhic principle articulated in his name: "R. Meir and R. Yehudah—the *halakhah* is in accordance with R. Yehudah."

31. *Sofer ha-Melekh*, vol. 2, *Hilkhot Bi'at Ha-Mikdash* 4, p. 265, s.v. *ba-derekh*.
32. *Sanhedrin* 27b.
33. Rashi ad loc., s.v. *hayah karov*, s.v. *ve-nitraḥek*.
34. *Sanhedrin* 28b.

The continuation of the Talmud's discussion makes clear that it is possible that Rabbah b. Bar Ḥanah's statement in the name of R. Yoḥanan does not refer directly to the dispute between R. Meir and R. Yehudah regarding a relative who becomes "distant," but rather to a statement of R. Yosei the Galilean:

> There is what is learned concerning this, as we have Rabbah b. Bar Ḥanah on this: This is what was expounded by R. Yosei the Galilean: "You will come close to the priests, the Levites, and to the judge who will be in those days" (Deut. 17:9)—and is it conceivable that one should go to a judge who was not in one's own day? But this is one who was close [as a relative] and became distant. Said Rabbah b. Bar Ḥana: Said R. Yoḥanan: The *halakhah* follows R. Yosei the Galilean.

According to this *baraita*, R. Yoḥanan ruled in accordance with R. Yosei the Galilean's position that a judge who was once a relative of one of the litigants but is no longer related to him is considered fit to judge. Thus, even if R. Yoḥanan does not say so explicitly, he rules against the view of R. Yehudah and in accordance with the view of R. Meir—against his own principle of arbitration.

"R. Yehudah and R. Yosei—The *Halakhah* is in Accordance with R. Yosei"[35]

"Rabbo"

In the course of elucidating the question of who is considered "*rabbo*," one's teacher, the *gemara* in *Bava Meẓi'a* cites a *baraita*:

> Our Rabbis taught: The teacher referred to is one who instructed him in wisdom, not one who taught him Bible and Mishnah; this is R. Meir's view. R. Yehudah said: One from whom one has derived the greater part of his knowledge. R. Yosei said: Even if he enlightened his eyes only in a single *mishnah*, he is his teacher. . . . It has been stated: R. Yiẓḥak b. Yosef said in R. Yoḥanan's name: The *halakhah* is as R. Yehudah. R. Aḥa son of R. Huna said in R. Sheshet's name: The *halakhah* is as R. Yosei. Now, did R. Yoḥanan really say this? But R. Yoḥanan said: The *halakhah* rests with the *stam mishnah*. And we have learned: "His teacher, who instructed him in wisdom." What is meant by "wisdom"? The greater part of one's knowledge.[36]

35. This general halakhic principle is accepted by the Yerushalmi as well; see Y. *Terumot* 11:7, 48b.

36. *Bava Mezi'a* 33a.

According to R. Yiẓḥak b. Yosef, R. Yoḥanan rules in accordance with R. Yehudah, and not in accordance with R. Yosei, in opposition to the general halakhic principle that he had established: "R. Yehudah and R. Yosei—the *halakhah* is in accordance with R. Yosei."[37]

Eating on Passover Eve

The Talmud records a debate between R. Yehudah and R. Yosei regarding the prohibition against eating in the late afternoon on the eves of the Sabbath and holidays:

> For it was taught: One should not eat on the eve of the Sabbath or a holiday beginning with the time of *Minḥah* [late afternoon] and on, so as to commence the Sabbath in a state of desire [for food]; these are the words of R. Yehudah. R. Yosei says: One may continue eating until it grows dark. . . . Yet is it satisfactory according to R. Huna? Surely R. Yirmiyah said: Said R. Yoḥanan (and others state: Said R. Abbahu: Said R. Yosei b. R. Ḥanina): The *halakhah* follows R. Yehudah with regard to the eve of Passover, and the *halakhah* follows R. Yosei with regard to the eve of the Sabbath.[38]

According to the view that it was indeed R. Yoḥanan who issued a ruling in this case,[39] R. Yoḥanan rules in accordance with R. Yehudah with regard to eating on Passover eve, against R. Yosei,[40] thereby ruling in opposition to the halakhic rule that he had established: "R. Yehudah and R. Yosei—the *halakhah* is in accordance with R. Yosei."

Twilight

Another example, found in *Massekhet Shabbat*, involves a debate between R. Yehudah, R. Neḥemiah, and R. Yosei regarding the time when twilight (*bein ha-shemashot*) begins and ends:

> The Rabbis have taught: As to twilight, it is doubtful whether it is partly day and partly night. . . . And what is twilight? From sunset, as long as the face of the east has a reddish glow. When the lower [horizon] is pale but not the upper, it is twilight, [but] when the upper [horizon] is pale and the same as the lower, it is night. This is the opinion of R. Yehudah. R. Neḥemiah says: After sunset, for as long as it takes a man to walk half a *mil*. R. Yosei says: Twilight is as the twinkling of an eye, one entering and the other departing, and it is impossible to determine. . . . Said Rabbah

37. Maharam Me-Rutenberg, *Teshuvot, Pesakim, u-Minhagim*, ed. Itzhak Ze'ev Cahana (Jerusalem, 1957), III:#104, p.109; *Sha'ar Yosef*, *Horayot* 2a.
38. *Pesaḥim* 99b-100a.
39. See Hidary, *Dispute for the Sake of Heaven*, 57, nn. 37, 59.
40. *Sha'ar Yosef*, ad loc.

> b. Bar Ḥanah: Said R. Yoḥanan: The *halakhah* is in accordance with R. Yehudah with regard to the Sabbath, and the *halakhah* is in accordance with R. Yosei with regard to the heave-offering.[41]

The discussion in the Talmud makes clear that R. Yoḥanan rules in accordance with the view of R. Yehudah with regard to the Sabbath as a matter of stringency.[42] However, this resolution runs counter to his general principle.

"R. Meir and R. Yosei—The *Halakhah* is in Accordance with R. Yosei" [43]

R. Yoḥanan contradicts his halakhic principle regarding disputes between R. Meir and R. Yosei several times.[44]

Mistaken Blessings

The *mishnah* states:

> And for all of them [fruits and vegetables], if he has said [the blessing] "By Whose word all things exist" (*she-hakol nihyeh bi-devaro*), he has fulfilled his obligation.[45]

The subsequent talmudic discussion includes a debate between R. Huna and R. Yoḥanan that was understood to parallel a tannaitic dispute:

> It is stated: R. Huna said: Except for bread and for wine. R. Yoḥanan said: Even bread and wine. May we say that the same difference of opinion is found between *tanna'im*? If one sees a loaf of bread and says, "What a fine loaf of bread this is! Blessed be the Omnipresent Who has created it!" He has fulfilled his obligation. This is the view of R. Meir. R. Yosei says: Anyone who alters the wording established by the Sages for the blessings has not fulfilled his obligation. We may say that Rav Huna agrees with R. Yosei and R. Yoḥanan agrees with R. Meir.[46]

Thus, R. Yoḥanan adopts the position of R. Meir that a generic blessing

41. *Shabbat* 34b-35a. See Hidary, *Disputes for the Sake of Heaven*, 50, n. 13.
42. Rashi, ad loc., s.v. *bishlama halakhah*.
43. The Yerushalmi agrees concerning this general rule that the *halakhah* is in accordance with R. Yosei over R. Meir. See Y. *Terumot* 3:1, 42a. Cf. Louis Ginzberg, *Genizah Studies* (New York, 1929), vol. 2, p. 518.
44. See Louis Ginzberg, *On Jewish Law and Lore* (New York, 1977), 163; Menachem Elon, *Jewish Law: History, Sources, Principles* (Jerusalem, 1988), vol. 2, p. 729.
45. *Berakhot* 6:2.
46. *Berakhot* 40b.

is sufficient, and he therefore rules that *she-ha-kol* is acceptable even for bread and wine. "It can be seen that R. Huna thinks as R. Yehudah does, and R. Yoḥanan—as R. Meir."[47] By ruling against R. Yosei, R. Yoḥanan goes against his own halakhic principle: "R. Meir and R. Yosei—the *halakhah* is in accordance with R. Yosei."

Indeed, the *posekim* who issue practical rulings in accordance with R. Meir rely on the fact that R. Yoḥanan rules in accordance with R. Meir's position.[48] However, in the subsequent talmudic discussion, the difficulty that arises in connection with R. Yoḥanan's ruling in favor of R. Meir in opposition to the general rule he had himself established is resolved with the words: "And R. Yoḥanan said: What I say is even according to R. Yosei."[49] In other words, R. Yoḥanan may say that his statement fits in even with the view of R. Yosei, so that R. Yoḥanan would not be disputing the general halakhic rule that he established.

The Yerushalmi also records the debate among R. Yosei, R. Yudah [=R. Yehudah], and R. Meir, including an unambiguous halakhic ruling in accordance with R. Meir:

> R. Huna said: Except for wine and for bread. . . . It was taught: R. Yosei says: Anyone who alters the formula established by the Sages does not fulfill his obligation. R. Yudah says: Anything that has had its natural shape altered but its blessing has not been altered, one has not fulfilled one's obligation. R. Meir says: Even if one has said, "Blessed is He Who has created this object; how goodly it is" has fulfilled his obligation. R. Yaʿakov bar Aḥa in the name of Shmuel said: The *halakhah* follows R. Meir. As per the words of Rav did he say it thus.[50]

According to R. Yaʿakov bar Aḥa, both Shmuel and Rav issue halakhic rulings in accordance with R. Meir and in opposition to the general halakhic principle that R. Yoḥanan had established: "R. Meir and R. Yosei—the *halakhah* is in accordance with R. Yosei." It is clear from elsewhere in the Bavli that Rav does not abide by the principles of halakhic arbitration transmitted in the name of R. Yoḥanan. This passage from the Yerushalmi indicates that Shmuel likewise does not seem to be beholden to those principles.

47. *Perush Sefer Ḥaredim*, *Berakhot* 6:2, s.v. *Rabbi Meir*.
48. See Rambam, *Hilkhot Berakhot* 8:6; *Kesef Mishneh* ad loc, s.v. *ve-mah she-amar*; This is the understanding of *Beit Yosef*, *Oraḥ Ḥayyim* 167:10; *Perush Sefer Ḥaredim*, ibid.; *Mar'eh ha-Panim*, *Berakhot* 6:2, s.v. *halakhah*.
49. *Berakhot* 40b; *Beit Yosef,* ibid., s.v. *de-talmuda daḥei.*
50. Y. *Berakhot* 6:1, 10b; See Baer Ratner, *Ahawath Zion we-Jeruscholaim*, *Berakhot* (Vilna, 1901), 151-52.

Prohibitions on Days Specified in Megillat Ta'anit

A further instance involves a dispute between the *Tanna Kamma* (R. Meir) and R. Yosei with regard to the prohibition of fasting and eulogizing on days indicated in *Megillat Ta'anit*:

> All that is written in *Megillat Ta'anit* about not mourning—on the day previous, it is forbidden; on the day following, it is permitted. R. Yosei says: On the day previous and on the day following, it is forbidden. As to not fasting—on the day previous and on the day following, it is permitted. R. Yosei says: On the day previous, it is forbidden; on the day following, it is permitted.[51]

According to R. Meir, it is forbidden to eulogize on the day preceding any of the holidays listed in *Megillat Ta'anit* lest one carry on the same activity on the holiday itself as well, but one may eulogize on the day following, since by then the holiday is over and there is no concern that people will eulogize on the holiday itself.[52] R. Yosei argues against this, maintaining that it is forbidden to eulogize both on the day preceding the holiday and on the day following it. According to the *Tanna Kamma*, fasting is permitted on the day preceding and on the day following a holiday. R. Yosei disputes this, maintaining that fasting is prohibited on the day preceding a holiday, while it is permitted on the following day.

In the talmudic discussion that follows, R. Ḥiyya states: "R. Yoḥanan said: The *halakhah* follows R. Yosei, that one is not to fast." In other words, R. Yoḥanan issues his ruling in accordance with the position of R. Yosei concerning the days when fasting is forbidden (the day before a holiday), but he follows the ruling of R. Meir with regard to the days when eulogizing is forbidden (only the day before a holiday). Accordingly, R. Yoḥanan issues a halakhic ruling concerning the days when eulogizing is forbidden in accordance with the view of R. Meir, and not that of R. Yosei, in opposition to his halakhic principle: "R. Meir and R. Yosei—the *halakhah* is in accordance with R. Yosei."

Reading the Megillah

The *mishnah* in *Massekhet Megillah* discusses the question of the point in the *Megillah* at which one must begin reading in order to fulfill his obligation:

51. *Ta'anit* 15b; see also ibid. 18b.
52. Rashi, *Ta'anit* 15b, s.v. *kol ha-katuv*.

> R. Meir says: All of it. R. Yehudah says: From "a man of Judah" (*Esther* 2:5). And R. Yosei says: From "After these things" (*Esther* 3:1). A *baraita* records that R. Shimon bar Yoḥai said: From "On that night" (*Esther* 6:1).[53]

The talmudic discussion states: "Said R. Ḥelbo: Said Ḥamah b. Gurya: Said Rav: The *halakhah* is in accordance with the position of the one who says 'all of it'." In other words, the *halakhah* according to Rav follows the view of R. Meir.

Rav's ruling is contrary to the general principles of Halakhah articulated by R. Yoḥanan. However, R. Ḥayyim Yosef ben Dovid Azulai (*Sha'ar Yosef*) maintains that R. Yoḥanan rules in accordance with the position of Rav, i. e., R. Yoḥanan agrees that the *halakhah* follows R. Meir, as opposed to R. Yosei.[54] *Sha'ar Yosef*'s basic argument is *ex silentio*. Rav was the foremost authority in Babylonia, and R. Yoḥanan the foremost authority in the land of Israel. Therefore, argues *Sha'ar Yosef*, R. Yoḥanan could not fail to somehow convey, whether explicitly or by implication, his opinion about Rav's view. Since he remained silent, he must have accepted Rav's ruling—contrary to his principle that we follow R. Yosei against R. Meir.

Why would he do so? *Sha'ar Yosef* suggests that R. Yoḥanan ruled in accordance with R. Meir because he felt impelled to join the general opinion that dominated in his day. In the case of reading the *megillah*, the dominant opinion was Rav's. *Sha'ar Yosef* raises the further question of whether the legal prescription in the case of *megillah* is exceptional, and states (without examples) that "there are many like it."[55] In any event, for *Sha'ar Yosef,* the "silence" principle for determining R. Yoḥanan's view applies to the case of reading the *megillah*. In contrast to *Sha'ar Yosef*, some maintain that if a dictum cited by the Talmud anonymously accords with the view of R. Meir, then the *halakhah* follows R. Meir and not R. Yosei. This limits R. Yoḥanan's application of his rule to cases in which R. Meir's opinion is quoted in his name.[56]

53. *Megillah* 19a.
54. See R. Ḥayyim Yosef ben Dovid Azulai, *Sha'ar Yosef*, *Horayot* 3a.
55. Ibid.
56. See *Sanhedrin* 27a with *Ein Zokher* 45, p. 48b, s.v. *halakhah*. R. Yoḥanan must follow his rule of *halakhah ki-stam mishnah* (*Shabbat* 46a).

"R. Yehudah and R. Shimon—The *Halakhah* is in Accordance with R. Yehudah"

The Talmud records a dispute between R. Yehudah and R. Shimon concerning items that it is forbidden to move on the Sabbath (*mukẓeh*).[57] R. Yehudah maintains that there is *mukẓeh*, while R. Shimon maintains that there is not. Ulla, Rav, and Levi maintain that the *halakhah* follows the position of R. Yehudah, while Shmuel, R. Yoḥanan, and Zeirai maintain as per R. Shimon: "And even R. Yoḥanan said: The *halakhah* follows R. Shimon."[58] There are a number of instances in this context in which R. Yoḥanan ruled in accordance with the view of R. Shimon,[59] in opposition to the halakhic principle transmitted in his name: "Said R. Abba: Said R. Yoḥanan: R. Yehudah and R. Shimon—the *halakhah* is in accordance with R. Yehudah."

The Genesis of R. Yoḥanan's Principles

The Talmud in *Eruvin* cites a dispute between R. Meir and R. Yosei concerning a woman who must wait three months before remarrying, noting that R. Yoḥanan rules in accordance with R. Yosei.[60] In his explanation of R. Yoḥanan's position, Rashi suggests a possibility of how the general halakhic principles of Halakhah transmitted in R. Yoḥanan's name evolved:

> Why should R. Yoḥanan say that the *halakhah* follows R. Yosei, considering that he himself has already specified earlier: R. Meir and R. Yosei—the *halakhah* is in accordance with R. Yosei? Apparently, R. Yoḥanan did not formulate these general principles, but rather the *Amora'im* formulated them on their own.[61]

Given the statement transmitted in R. Yoḥanan's name ("R. Meir and R. Yosei—the *halakhah* is in accordance with R. Yosei"), why did R. Yoḥanan need to arbitrate the *halakhah* in accordance with the

57. *Shabbat* 156b-157a.
58. Ibid.; R. Ḥananel, *Shabbat* 157a; Tosafot, *Shabbat* 156b, s.v. *ve-ha* (1). The Talmud indicates that R. Yoḥanan ruled in accordance with the view of R. Shimon because *Beit Hillel* did so.
59. *Shabbat* 45b: "And R. Yoḥanan said: We have nothing but the lamp as per R. Shimon." R. Yoḥanan maintains the same view as R. Shimon concerning what is considered *mukẓeh maḥamat mi'us* (*mukẓeh* by dint of repugnance).
60. *Eruvin* 47a.
61. Rashi, ad loc., s.v. *ve-lammah lei*.

view of R. Yosei in this case? The fact that he does so indicates that R. Yoḥanan did not formulate the general arbitration principle. Instead, the *Amora'im* formulated it on their own, in light of R. Yoḥanan's rulings.

Yosef Zvi Dinner offers a more general description of the genesis of the halakhic arbitration principles. He writes that R. Yoḥanan himself specified what the *halakhah* is in a variety of disputes in the Mishnah, clarifying whose view is adopted by the Halakhah in the various debates. His students, having heard his views in these debates, were the ones who consolidated them as general principles of Halakhah, and it was in this state that the principles reached Babylonia. The Babylonian *Amora'im* took these general principles of Halakhah to be statements explicitly made by R. Yoḥanan, making it obligatory to abide in accord with them.[62]

However, this is not the impression one gets from the text in the Yerushalmi, which discusses general halakhic principles that were indeed formulated by R. Yoḥanan himself.[63] It follows that these general rules follow R. Yoḥanan's view[64] and that he is the one who formulated them.[65]

Explanations of R. Yoḥanan's Approach

Some maintain that R. Yoḥanan intended that his rules be applied only to certain disputes—those entailing *de-Oraita* (biblical) laws, and perhaps some *de-Rabbanan* disputes.[66] Others suggest that these principles were formulated only in general,[67] or that they were arbitrated as a statistical determination rather than a norm for ruling.[68] Still others, however, are of the opinion that R. Yoḥanan abided by the general principles of Halakhah that he established in an absolute manner, without changing his mind.[69] R. Yoḥanan was in need of general principles of Halakhah because he, unlike Rav, did not accept the rule that the *halakhah* follows the more lenient position in all cases of *eruvin*; he thus needed to create a system of rules for future cases.[70]

62. Yosef Ẓvi Dinner, *Haggahot al Massekhet Eruvin*, *Beiẓah*, *ve-Sukkah*, *Bavli ve-Yerushalmi* (Frankfurt de Main, 1896), vol. 1, *Eruvin* 46b.
63. Y. *Terumot* 3:1, 42a.
64. *Yavin Shemu'ah* 5:1, pp. 98-99.
65. Rashi, *Eruvin* 47a, s.v. *Rav let leih*.
66. *Sha'ar Yosef*, *Horayot* 2a, 3a.
67. *Ein Zokher* 43, p. 47b, s.v. *ve-da*.
68. Ephraim Urbach, *The World of the Sages: Collected Studies* (Jerusalem, 1988), 81.
69. Tosafot, *Eruvin* 65b, s.v. *ikkela'u*; Semag, positive rabbinic commandments, *Hilkhot Eruvin*, 244a-b; *Naḥal ha-Arevim*, *Eruvin* 46b, s.v. *gemara ve-amar Rav Hama*.
70. Maharsha, *Eruvin* 46b; SMG, ibid, *Be'er Sheva*, *Eruvin* 46b.

The Talmud in *Eruvin* raises an objection against R. Yoḥanan based on the fact that his rulings seem to contradict the principles that he establishes.[71] The *gemara* concludes: "These general principles are not the view shared by everyone, for Rav does not abide by them." R. Ḥananel explains that the implication is: "But R. Yoḥanan does adopt them."[72] According to R. Ḥananel, R. Yoḥanan maintains the view that it is obligatory to abide by the general principles of Halakhah that he established.

Some have argued that R. Yoḥanan may have later given up the general rules of Halakhah that he established.[73] This possibility finds support in a passage in *Yevamot*: "Said R. Ḥiyya bar Abba: R. Yoḥanan changed his mind."[74] However, the continuation of that discussion suggests that this statement does not mean that R. Yoḥanan repudiated his principles: "If he changed his mind, then it is concerning the *mishnah* of the vineyard that he changed his mind." As Rashi explains, R. Yoḥanan changed his mind in the particular case of a *mishnah* taught in the "*kerem*" in Yavneh—a reference to the Sanhedrin, which sat in Yavneh after the destruction of Jerusalem.[75] R. Yoḥanan changed his mind only in the specific instance discussed in the text; he never gave up any of the other general principles of halakhic arbitration.

Indeed, the continuation of the *gemara*'s discussion in *Yevamot* further suggests that R. Yoḥanan tends to favor an approach to arbitration based on general principles:

> For said R. Papa, and some say it was R. Yoḥanan: A dispute and then a dictum recorded anonymously—the *halakhah* is in accordance with the anonymous dictum. A dictum recorded anonymously and then a dispute—the *halakhah* is not in accordance with the anonymous dictum.

Similarly, among the principles quoted in R. Yoḥanan's name in *Eruvin* is the rule: "Wherever you find a single authority who is lenient and the majority holds the more stringent view, follow those taking the more stringent view." He further adopts some principles articulated by others: "He maintained a position as per Shmuel, as Shmuel said: The *halakha*h is according to the more lenient view concerning mourning."[76] We also find R. Yoḥanan's important principle: "The *halakhah* is in accordance

71. *Eruvin* 47a-b. See *Ḥiddushei ha-Ritva*, *Eruvin* 47a, s.v. *ella mi-ha*.
72. R. Ḥananel, *Eruvin*. 47b.
73. David Weiss Halivni, *Mekorot u-Mesorot*, *Eruvin* (Jerusalem, 1982), 138, n. 4.
74. *Yevamot* 42b.
75. Rashi, *Yevamot* 42b, s.v. *mi-matni de-karmah*.
76. *Eruvin* 46a-b. See Rashi, *Eruvin* 46a, s.v. *ve-savar lah*.

with the anonymous authority cited in the *mishnah*."[77] Nevertheless, it appears that R. Yoḥanan may on occasion deviate from the general principles which he established, as seems to be the case in *Eruvin* 46a:

> And said Rabbah b. Bar Ḥana, said R. Yoḥanan: Wherever you find a single authority taking a lenient view and the majority opting for the more stringent, join the more stringent majority, except for this one case, that even though R. Akiva has the more lenient approach, while the Sages are more stringent, the *halakhah* is as per the words of R. Akiva.

Even so, the words of Abbayei in *Eruvin* suggest that these general principles of Halakhah as put forth by R. Yoḥanan apply not only to the Mishnah, but also to the Baraita.[78] Accordingly, R. Yoḥanan did not change his mind about the general principles of halakhic arbitration.

Moreover, had R. Yoḥanan given up the general rules of Halakhah, we would expect a clear statement of this in the talmudic discussion.[79] Given that no such statement was formulated, it must be concluded that R. Yoḥanan did not change his mind regarding the general rules that he established.

Elsewhere, however, we find that R. Yoḥanan states: "We do not draw inferences from general rules."[80] In other words, wherever a general rule is stated, there is no arguing specifically based upon the general rule, insofar as there may be a general rule that is stated inexactly or that does not include every instance pertaining to the rule.[81] We cannot draw inferences from general rules because the rules are "not necessarily specifically pertinent" to particular cases.[82] This source presents a very different view of R. Yoḥanan's rules, indicating that he does not feel bound by them at all. It is possible that when R. Yoḥanan states that we do not draw inferences from general rules, he is referring only to the "general principles" found in the Mishnah.[83] Wherever the Mishnah states, "Every . . . ," this is not meant literally. For instance: "An *eruv* or *shittuf* may be put into effect with all [kinds of food], except water and salt."[84]

77. *Shabbat* 46a; *Masoret ha-Shas*, ad loc.
78. *Eruvin* 47b.
79. For example, *Sha'ar Yosef* (*Horayot* 1a) is of this view concerning Shmuel: "For this is impossible, insofar as he [Shmuel] does not have these general rules, for if he did, why was this not mentioned about Shmuel along with Rav [in *Eruvin* 47b]?"
80. *Eruvin* 27a; *Kiddushin* 34a.
81. Rashi, *Eruvin* 27a, s.v. *ein lemedin*.
82. Rashi, *Kiddushin* 34a, s.v. *ein lemedin*.
83. R. Ḥananel, *Eruvin* 27a; Rashi, *Eruvin* 27a; Rashi, *Kiddushin* 34a, s.v.
84. *Eruvin* 27a; *Kiddushin* 34a.

Even when the Mishnah uses the term "except," which ostensibly indicates that nothing else is excluded from the generalization,[85] we cannot rely on this because there may be things that are not included in the general rule and not part of the exception made to the rule.[86] Hence, the general rules of Halakhah apply, according to R. Yoḥanan, in all areas except for the Mishnah.

In his commentary on the general rules of Halakhah at the beginning of the *sugya* in *Eruvin*, Rashi explains that these principles are not binding in all cases, but rather operate as per the notion of "the reasonably likely."[87] That is, when it is reasonable or makes sense to follow the view of the sage mentioned in these general rules, the ruling should be reached accordingly; if it is reasonable to follow the view of the other sage, then that other view is to be maintained. According to this explanation, R. Yoḥanan indeed sometimes issued halakhic rulings that deviated from his general principles of Halakhah.

A similar explanation can be reached based on the conclusion of the *sugya*: "Where it was said, it was said; where it was not said, it was not said."[88] The implication is that the general rules of Halakhah are only binding in general, when no special considerations are involved, and R. Yoḥanan thus rules occasionally against the general principles of Halakhah that he established.[89]

According to a different perspective, whenever R. Yoḥanan ruled in opposition to the general principles of halakhic arbitration that he established, this stems from the fact that the *halakhot* in question are not pertinent to the general principles or that a different general principle is in effect that is stronger than the principles of R. Yoḥanan (such as "The *halakhah* follows the anonymous authority cited in the *mishnah*").[90] This is the case, for example, in the dispute between R. Meir, R. Yehudah, and R. Yosei about the question of the definition of one's "master."

It is, further, reasonable to assume that R. Yoḥanan's occasional disregard for the principles that he established stems from the fact that the rules he enunciates in Eruvin are inductive (derived by his students

85. But in truth it does not, as the *gemara* says (*Eruvin* 27a; *Kiddushin* 34a). See also Rashi, *Eruvin* 27a, s.v. *ein lemedin* and s.v. *va-afilu be-makom*, and *Kiddushin* 34a, s.v. *ein lemedin*.
86. See also *Tosafot R"i ha-Zaken*, *Kiddushin*, ibid.
87. Rashi, *Eruvin* 46b, s.v. *le-hanei kelalei*.
88. *Eruvin* 46b-47a.
89. *Ein Zokher* 43, 47b, s.v. *ve-heikha*.
90. *Sha'ar Yosef*, *Horayot* 2a.

from specific cases), while other rules were derived deductively from general sayings of R. Yoḥanan. One prominent scholar suggests an additional possibility: that R. Yoḥanan was an authority of great stature, and could thus permit himself to depart from his own principles in certain cases precisely to show his authority. Still another approach is that R. Yoḥanan aimed to come up with a statistical halakhic assessment, not a normative prescription dictating how halakhic issues should be arbitrated.[91]

Summary and Conclusions

In light of the sources that we have seen, it is appropriate to conclude that R. Yoḥanan is not consistent when it comes to issuing rulings in conformity with the halakhic principles of arbitration that he himself specifies in *Eruvin*.[92] His reasons for deviating from his own principles of halakhic arbitration are not always specified in the talmudic text, and at times they remain unclear. I have explained here numerous ways of approaching this conundrum. The matter will likely remain a subject of controversy.

91. See Urbach, 81.
92. This same view is introduced in the works cited above in note 6.

Guide to Transliteration Style

Format of References

GUIDE TO TRANSLITERATION STYLE

Letters of the Hebrew Alphabet

א	transliterated as ’, but only when it begins a syllable other than the first. (Examples: *nevi’im;* but: *adam*.) In the case of common transliterations like *yisrael* and *geulah*, you may omit the ’.
בּ	*b*
ב	*v*
ג	*g*
ד	*d*
ה	*h* (including at the end of a word) (*asah*, *modeh*)
ו	(when a consonant) *v*
ז	*z*
ח	*ḥ*
ט	*t*
י	*y*
כּ	*k*
כ	*kh*
ל	*l*
מ	*m*
נ	*n*
ס	*s*
ע	transliterated as ‘ , but only when it begins a syllable other than the first. (Examples: *eved*; but *pa‘am*)
פּ	*p*
פ	*f*
צ	*ẓ*
ק	*k*
ר	*r*
שׁ	*sh*
שׂ	*s*
תּ	*t*
ת	*t*

Double the letter for *dagesh ḥazak*, except ש.

Vowels

שוא נע	*e (berit)*
שוא נח	not transliterated *(mashpil)*
קמץ גדול	*a (parah)*
קמץ קטן	*o (ḥokhmah)*
פתח	*a (ammi)*
סגול	*e (regel)*
חיריק (מלא and חסר)	*i (binah, simḥah)*
קבוץ, שורוק	*u (suru)*
צירה with י	*ei (beit, yesodei)*
צירה without י	*e (shem, esh)*
חולם חסר, חולם מלא	*o (sod, poh)*

Proper Names

The above rules must be used for proper names when you are transliterating them from Hebrew. Otherwise, you may follow an individual's own spelling of the name .

Prefixes

• Insert a hyphen after each prefix. To aid the reader in recognizing the main word, the word after the prefix generally should be spelled with its original *dagesh kal* and *sheva na*, even if in Hebrew the *dagesh* drops out after that prefix and the *sheva* is generally regarded as a *sheva naḥ*. Examples: *ke-bakkarat, u-bikkashtem, ki-ketavam ve-ki-zemannam, beneikhem u-benoteikhem*. But: *lefi zeh*, *lifneikhem*, since these are not pure prefixes.

• After a prefix, do not double the letter to indicate *dagesh ḥazak*. Example: in *ha-Torah*, *ha-banim, va-tomeru* the t, b, and t respectively are not doubled.

• Words like מיהודה ,וירושלים should be transliterated as *mi-Yehudah* and *vi-Yerushalayim*, despite the fact that the י is silent.

• In words that are capitalized, generally keep the prefix lower case and the main word upper case. Examples: *u-Mosheh, Ḥiddushei ha-Ramban*. Do capitalize a prefix to the *first* word in a book, journal or article title. There are exceptions to the above, e.g., Hashem, or when the term appears frequently in the article.

Italics

Words in languages other than English should be italicized. Italics need not be used for transliterated words within quotation marks, or for Hebrew and other foreign words that have become part of English.

FORMAT OF REFERENCES

Short references to Tanakh, Talmud and Midrash normally should appear in parentheses in the text.

Tanakh: Ex. 1:2 (no italics)

Mishnah: *Kinnim* 3:2

Talmud Bavli: *Sanhedrin* 74a

Talmud Yerushalmi: *Yerushalmi Bikkurim* 1:3; or *J. T. Bikkurim* 1:3. If a page citation is added, it should refer to the Venice edition.

Tosefta: *Tosefta Terumot* 7:20

Midrashim: *Gen. Rabbah* 44:1

Zohar: *Zohar*, *Emor* 91b

Biblical commentaries: Rashi, Gen. 1:4. Use "ad loc." when appropriate (no italics): e. g., Gen. 1:4 and Rashi, ad loc. If the commentator has more than one comment on the verse, add: s.v. _____ .

Talmudic commentaries: *Tosafot*, *Avodah Zarah* 17a, s.v. *ve-al*

Codes: Maimonides, *Mishneh Torah, Hilkhot Avodah Zarah* 11:16; *Shulḥan Arukh*, *Yoreh De'ah* 179:1. Commentaries to codes: *Kesef Mishneh, Mishneh Torah, Hilkhot Sanhedrin* 6:5. If more than one comment is found in the location cited, add: s.v. _____ . If comments are numbered, you may cite the number rather than the *dibbur ha-maṭḥil*.

Responsa: Make clear whether you are citing the responsum number or the page number. Example: Responsa *Iggerot Mosheh, Ḥoshen Mishpat* 2:#174. When you need to cite a specific page: *Iggerot Mosheh, Ḥoshen Mishpat* 2:#174, p. 127.

Citations to classic works should refer to the book's divisions, e.g.: Moses Maimonides, *Guide of the Perplexed* I:54 (or 1:54).

In the above cases, when necessary—for example, if you are relying on a text as it is printed only in certain editions, or if you want to highlight a passage—indicate the edition and page number.

Authored book: Aaron Levine, *Economics & Jewish Law: Halakhic Perspectives* (Hoboken, NJ and New York, NY, 1987), 78. For translated works, it is preferable to include the translator's name by writing "trans.____" after the title, separated by a comma.

Edited book (when cited as a whole; when an individual article is cited, use the format under "Article in edited book"): Shalom Carmy (ed.), *Jewish Perspectives on the Experience of Suffering* (Northvale, NJ, 1999). If there is more than one editor: use (eds.) instead of (ed.).

Article in edited book: Moshe Halevi Spero, "Metapsychological Dimensions of Religious Suffering: Common Ground Between Halakhic Judaism and Psychoanalysis," in *Jewish Perspectives on the Experience of Suffering*, ed. Shalom Carmy (Northvale, NJ, 1999), 213-76. Here use "(ed.)," not "(eds.)," even if there is more than one editor. When you are citing an individual page, after the comma give the number only of that page.

English article in a periodical: Jacob J. Schacter, "Facing the Truths of History," *The Torah u-Madda Journal* 8(1998-1999): 200-73. When you are citing an individual page, after the colon give the number only of that page. Capitalize words in article titles even if the journal does not (as in the case of medical journals). If a journal publishes several issues per volume number but numbers all pages of the volume sequentially (e. g. issue 2 begins with page 146), it is not necessary to supply the issue number. If each issue starts from page 1, give the issue number after the volume number, separated by a comma.

Article in a collection of essays by a single author: Gershom Scholem, "Toward An Understanding of the Messianic Idea in Judaism," in Scholem, *The Messianic Idea in Judaism And Other Essays on Jewish Spirituality* (New York, 1971), 1-36.

Hebrew articles: Same format as for English articles. Use either a transliterated title or a translated title followed by: (Hebrew).

Book review: Isaac Chavel, review of Moshe Koppel, *Meta-Halakhah, The Torah u-Madda Journal* 8(1998-1999): 318-26. If you are citing a review essay whose title does not contain the name of the book under review, after the information on the essay write: [review of _____].

Internet citation: website address, as specific as possible.

References to a work you cited previously: Do not use "op. cit." Refer to the earlier work by the author's name and (if you have cited more than one work by the author) a short title. When you have many endnotes, indicating the note number of the earlier citation will help the reader locate it. Use Ibid. as appropriate.