

CENTER FOR MODERN TORAH LEADERSHIP

Center for Modern Torah Leadership



חרות ואחריות

www.TorahLeadership.org

"Taking Responsibility for Torah"

AUTHORIZED AND UNAUTHORIZED ADDITIONS

Rabbi Aryeh Klapper, Dean

אֶת כָּל-הַדְּבָר אֲשֶׁר אֲנִי מְצַוֶּה אֲתֶכֶם אֹתוֹ תִשְׁמְרוּ לַעֲשׂוֹת לֹא-תֹסֵף
עֲלָיו וְלֹא תִגְרַע מִמֶּנּוּ:

Everything that I am commanding you – that is what you must observe, to do. You must not add to it; and you must not subtract from it.

Devarim 13:1 can be read as a free-standing and self-sufficient sentence, which is why it starts a new chapter. However, the traditional Jewish punctuation reads it as the true conclusion of the preceding chapter, which ends:

לֹא-תַעֲשֶׂה כֵן לִיקוּק אֱלֹהֶיךָ כִּי כָל-תּוֹעֵבֹת יִקּוּק אֲשֶׁר שָׂגָּ אֶעֱשֶׂה
לְאֱלֹהֵיהֶם כִּי גַם אֶת-בְּנֵיהֶם וְאֶת-בָּנוֹתֵיהֶם יִשְׂרְפוּ בְּאֵשׁ לְאֱלֹהֵיהֶם:

Do not do the same for Hashem your G-d, because it was all the abominations of Hashem that He hates that they did for their gods; yes, they would even burn their sons and daughters in fire for their gods.

Seforno uses this connection to make the startling claim that the prohibition against “adding to” is needed to prevent Jews from voluntarily instituting child sacrifice for the sake of Heaven.

"לא תוסף עליו" - כי אולי תוסיף דבר נמאס אצלו יתברך, כמו שיהיה אם תרצה להוסיף מיני עבודות לא-ל יתברך, שלפעמים תהיה העבודה הנוספת דבר נמאס אצלו ית', כמו שריפת הבנים.

"You must not add to it" – because perhaps you will add something that is revolting to Him May He be Blessed, as would happen if you wanted to add forms of service to the Divinity May He be Blessed, that on occasion the added service would be revolting to Him May He be Blessed, like the burning of sons.

Seforno's shocking suspicion also implies an important liberalism: G-d does not reject humanly conceived and initiated worship out of hand. If we could be trusted to choose actions which pleased Him, perhaps He would even prefer such freely-chosen worship above obedient service.

By contrast, Rabbi Samson Raphael Hirsch reads our verse as rejecting human religious autonomy in principle.

"Everything" the parshiyot-division of the Masorah shows that this verse is the conclusion of what is said before it, and this is its meaning:

For this reason, you must not produce for yourself new ways of Divine service, you must not seek to ingratiate yourself before your Divinity in ways different from those that were established by Him. Only if you faithfully perform that which be commanded will you express the submission which He is expecting from you. He imposed mitzvos on you and taught you how to fulfill them, and these mitzvos and these ways of fulfilling them express His will.

Rav Hirsch seems to believe that worship in a freely-chosen form is oxymoronic.

This profound philosophical dispute between Seforno and Rav Hirsch may reflect an even deeper disagreement about the nature of the Oral Law. Why doesn't the rabbinic corpus constitute an illegitimate addition?

For Rav Hirsch, the Written Law is famously the “lecture notes” for the Oral Law. This means that the Oral Law actually came first – the Written Law is just a way of encoding it. There is nothing creatively human about the Oral Law. Even the most brilliant rabbis were merely answering complex crossword clues correctly. This tracks with his absolute prohibition against adding.

By contrast, Seforno may acknowledge that while the Oral Law is under the authority of the Written Law, it is the product of an unscripted human encounter with the Divine Will, and may reflect genuine creativity. For Seforno, the prohibition is against **undisciplined** adding.

This theme is elaborated by Rabbi Pinchas Halevi Horowitz (1730-1805) in his Panim Yafot. Rabbi Horowitz reads the opening of the verse as a reference to the Oral Law – “**Everything** that I am commanding you” includes matters that are not explicit intentions of the text. He embraces the paradoxical formulation on Megillah 19b that G-d showed Mosheh everything that the Soferim would eventually originate. The Talmud says that this refers specifically to the rabbinic mandate to read the Megillah on Purim, but Rabbi Horowitz reads it more broadly.

He then adds an important excursus on the nature of Torah study.

שלימוד התורה הוא בכל דור בשני פנים
 האחד ללמוד התורה שכבר נתון בכתב ובע"פ בכל הדורות הקודמין,
 וזה הלימוד מקרא ומשנה,
 והלימוד השני הוא עיון והשכל הטוב חלקו מאת ה' בתורה, כמ"ש ותן
 חלקינו בתורתך,
 . . . כי שתי הפנים האלה התחלפו בימי שנות האדם
 בילדותו א"צ כ"כ שקידה וזיכרון הטוב,
 כמ"ש [שבת כא ב] בגירסא דינקותא עולה לזיכרון יותר מבימי הזקנה,
 אבל בעיון השכל הוא בהיפוכו כי דעתם מתיישבת עליהם,
 . . . *the study of Torah in every generation has two aspects*
The first is to lean the Torah that has already been given, in writing or
orally, in all the previous generations. This learning is called mikra
and Mishnah.

The second type of learning is ?analysis and excellent comprehension?
which is his portion given out by Hashem in the Torah, as is written
"and give our shares in Your Torah".

. . . *These two aspects reverse during a person's years*
In his youth he does not need so much diligence and good memorization,
as per Talmud Shabbat 21b that the learning of youth arise in memory
more than that of old age,
but the investigation of the intellect is the reverse, because their mind
becomes settled . . .

According to Rabbi Horowitz, the human "share" in G-d's Torah is not what we take out of the text, but rather what we put into it. It is our creative contribution. But such contributions must be built on a solid basis of knowledge of the written Torah and all its previous interpretations, including those once regarded as creative. In turn, our successors will be required to memorize our creative contributions by rote before being allowed to attempt such contributions themselves.

Rabbi Horowitz thus sets out a model for the discipline that Seforno sees as the difference between legitimate creativity and illegitimate adding. Creativity must go hand in hand with genuine commitment to and respect for the past. Moreover, creativity is not an end in itself; rather, its value is predicated on being filtered via sound and mature judgment.

Let us be frank – this model may not be useful in real life. There is no formula for determining the genuineness of commitment to the past. Making memorization a requirement simply privileges those with superior memories. Similarly, good and mature judgment are often not recognized, especially by those who lack them.

What may help is an acknowledgement and keeping-in-mind of the Torah's caution that creativity can lead to human sacrifice.

The Kotzker Rebbe reportedly asked: Why did the angel call out to Avraham two commands-to-stop at the Binding of Isaac? Wouldn't Avraham have stopped once G-d said "DO NOT send your hand forth against the child"? Why did He need to add "and do nothing at all to him"?

More astonishingly yet, Rashi claims that Avraham did not stop in response to "DO NOT send your hand forth"; rather, he asked for permission to at least wound Yitzchak, which is why G-d continued "do no *meumah* (a pun on *mum*=blemish) to him". Why would an apparent sadistic streak emerge, rather than a joyous celebration of the reprieve?

The Kotzker replied: The most difficult temptations are those which convince a person that letting his or her worst evil inclinations flourish is actually a fulfillment of the Divine Will. We may convince ourselves that the very absurdity of an action is what proves its religious origin: who but G-d would think of such a command? Or we may convince ourselves that only the most ethically counterintuitive actions can prove that we are acting out of genuine religious devotion, that we are utterly engaged in the fulfillment of His will rather than our own. Thus the true test of the Akeidah was not whether Avraham was willing to sacrifice Yitzchak, but rather whether he was able to abort the sacrifice when G-d revealed his error. And, the Kotzker concludes, even Avraham was unable to stop immediately, even when presented with an angel telling him to stop – the angel had to tell him twice to keep him from drawing blood.

A reasonable argument can be made that the popularity of creative stringencies in contemporary Orthodoxy stems precisely from this impulse, especially in the areas of conversion and agunot. There is real and culpable inconsistency in celebrating creative leniencies while denigrating creative stringencies. At the same time, we should be hypersuspicious of any creativity that seems to draw strength from the number of victims it claims.