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"Taking Responsibility for Torah"

A REINTRODUCTION TO HALAKHIC MAN - PART 1

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Rabbi Joseph B. Soloveitchik's Ish HaHalakhah dominated the landscape of Modern Orthodox hashkafah for years. More precisely, an image arising out of a partial understanding of the work dominated that landscape. This image closely approximated the epigraph of the book – “the image of his father’s face appeared to him in the window” – which is to say that it caught the core of the Rav’s portrayal of his father and grandfather. It had enormous value in explaining, validating, and valorizing the character of the Eastern European Talmudic scholar to an American Jewish culture with a tenuous-at-best relationship to rigorous traditional Torah study, and in more generally presenting halakhic dedication as enabling rather than inhibiting the development of a rich internal life.

Ish HaHalakhah’s influence far outstripped the range of those who actually read the book, let alone of those who read it in the original Hebrew. Many eager readers (myself as a teenager, but I don’t think I’m projecting) gave up when they hit untranslated Greek characters in the opening pages. So it can be no surprise that, as with all hyperintellectual books that become cultural touchstones, some errors and loss of context were the price of popularization.

Such distortions are calibrated to the needs and desires of their time. As a culture changes, they reverse roles and make the book’s message less rather than more accessible.

Here are three common perceptions related to the book that I contend are incorrect:

1) The Ish HaHalakhah represents the highest form of Jewish religiosity, rather than one among many powerful forms

2) Halakhah is the only form of access to the Divine Will that Orthodoxy should acknowledge, and there is no religious meaning to acts or intentions that are not channeled through the intellectual frameworks and practical mandates of halakhah.

3) The Ish HaHalakhah has no interest in determining Halakhah. When the Talmud records halakhic disputes, he seeks only to explore the conceptual underpinnings of each position. The same is true with regard to disputes among later commentators and decisors.

Let us begin with the question of whether the Ish HaHalakhah reflects the highest form of Jewish religiosity. My evidence against this hypothesis is the book’s own description of its eponym, on page 15.

תעודתינו במאמר זה היא לחדור לתוך כבשונה של תודעת איש
ההלכה ולעמוד על מהותו של טיפוס "מוזר ומשונה", המתגלה לעולם
מתוך ד' אמותיו "המצומצמות", כשידיו מלוכלכות בשפיר ושליא. ברם
כדי לצאת ידי חובתינו במסה זו עלינו לפתוח בביאור סירטוט אופייני
וקו יסודי בהשקפתו האונטולוגית של איש הדת בהשוואה אם איש
הדעת - שמתוכם של השינויים וההבדלים שבין שניהם, נכיר את בעל
הוויית אב"י ורבא.

This section is translated as follows on pp. 4-5 of Dr. Lawrence Kaplan’s magisterial translation, Halakhic Man:

Our aim in this essay is to penetrate deep into the structure of halakhic man’s consciousness and to determine the precise nature of this “strange, singular” being who reveals himself to the world from within his narrow, constricted “four cubits” [Berakhot 8a], his hands soiled by the gritty realia of practical halakhah [see Berakhot 4a]. However, in order to fulfill the task, we must undertake a comparative study of the fundamental and distinctive features of the ontological outlooks of *homo religiosus* and cognitive man.

For only by gaining an insight into the differences and distinctions existing between these two outlooks will we be able to comprehend the nature of halakhic man, the master of Talmudic dialectics.

It is almost impossible for translations to capture allusions, especially when the alluded-to text is less known than the alluding text. “master of Talmudic dialectics” is certainly more helpful to most audiences than “master of the challenges of Abbaye and Rava”. But readers of the English have no way of knowing that the Rav is citing language from Talmud Sukkah 28a., and I contend that in this case the allusion is critical to meaning. Here is the Talmud:

A beraita:

Hillel the Elder had eighty students –
Thirty of them were fit to have the Divine presence rest on them as it did on Moshe Rabbeinu;
Thirty of them were fit to have the sun stand still for them as it did for Yehoshua bin Nun;
Twenty of them were intermediate.
The greatest of them was Yonatan ben Uziel;
the least of them was Rabban Yochanan ben Zakkai.

They said regarding Rabban Yochanan ben Zakkai that he did not leave aside

mikra or mishnah,

gemara, halakhot, and aggadot

didkdukei Torah and dikdukei Sofrim,

kalim vachamurim and gezeirot shavot

tekufot and gematriot,

the discourse of the ministering angels

the discourse of demons

the discourse of dekalim

parables of washermen

parables of foxes

great thing

lesser thing.

What is the meaning of **great thing**? The Making of the Chariot;

What is the meaning of **lesser thing**? **The challenges of Abbaye and Rava . . .**

Many of the elements of Rabban Yochanan ben Zakkai’s curriculum are obscure, and can only be identified speculatively. But there is no ambiguity about the status of “the challenges of Abbaye and Rava” **relative to** the status of “the Making of the Chariot”; it is *davar katan*, a lesser thing.

It follows that the Ish HaHalakhah, as the master of “the challenges of Abbaye and Rava”, is not the equal of one who is a master of “the Making of the Chariot”, and we have demonstrated that the Ish HaHalakhah is not the highest form of Jewish religiosity.

This naturally raises the question: Who *is* the master of the Making of the Chariot?

This question was the subject of great medieval controversy. Rambam Laws of the Foundations of Torah 4:13 identifies the making of the Chariot with rational metaphysics, and he was sharply criticized for this by those who identified it with mystical experience instead. It is true that Ish HaHalakhah points out repeatedly that its eponym is not interested in either rational metaphysics or in mysticism.

But I contend that the Rav held a third position. Rather, the key to the Rav’s hierarchy lies in a seeming paradox that Lord Rabbi Sacks raised many years ago: The Ish HaHalakhah would clearly have no interest in reading the Rav’s book about him, let alone in writing it! I contend that for the Rav, the master of the Making of the Chariot is the author, not the subject, of the book.

In a subsequent installment, I will seek to justify that claim on the basis of Halakhic Mind. But I will first seek to demonstrate the incorrectness of the other two misperceptions listed at the outset of this essay, on the basis of Halakhic Morality and the Rav’s *lomdishe* account of *semikhah*, respectively. Please stay tuned, and I very much welcome anticipatory questions, challenges, and comments.

Shabbat shalom!