HESCHEL, HASIDISM, and HALAKHA

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CONTENTS

Acknowledgments by Ruth M. Dresner vii
Introduction by Edward K. Kaplan ix

1. Heschel 1
2. Hasidism 36
3. Halakha 84

Bibliography 125
Index 131

3

Halakha

The Danger of Aggada Alone

The Left

Seven years after Heschel had left the Hebrew Union College for Reform Judaism to become a member of the faculty of the conservative Jewish Theological Seminary, he was invited to the annual convention of the organization of the Reform rabbinate, the Central Conference of American Rabbis. That invitation would hardly have been made while he was still teaching in Cincinnati, where his traditional lifestyle, such as observing Kashrut and Shabbat, in addition to his "spiritual" interests, no doubt contributed to his receiving only a modicum of recognition; but with the subsequent publication of several important books in English and his growing influence in Jewish and non-Jewish circles, the invitation was issued. In that very year Heschel also challenged the convention of the Conservative rabbinate, many of whom had long been under the spell of the religious humanism of Mordecai Kaplan, with his address on prayer in which he argued theology—"the problem of prayer is the problem of God." Now he chose to confront the Reform leaders with their most controversial position, the issue of halakha.

Heschel began by alluding to his own problems with observance of the Law. Perhaps it was an attempt to gain some measure of approval from an audience, critical in any case, and now put on alert upon learning the challenging subject of his address. But could he put at ease a body of listeners who were suspicious of one whose differing views they had held at a distance in the past and who were now preparing to encounter those views face to face, especially a defense of the Law, which they had long ago rejected? On the other

hand, there were no doubt many among the younger rabbis who, having experienced the failure of classical Reform to create a passion for Judaism, were willing to give Heschel a hearing. After all, he had not just emerged from a *shtibl* or a yeshivah.

I have remarked that Heschel had left Warsaw at the age of eighteen to attend the secular Real-Gymnasium in Vilna (where he also joined a group of promising Yiddish poets, later to become the famed Yung Vilno) in preparation for his attendance at the University of Berlin, and at the liberal, not the Orthodox, Jewish seminary there.[1] Subsequently he was saved from the Nazis by the visa provided by the Hebrew Union College, which brought him out of Warsaw, to which he had been repatriated, only weeks before the Germans entered, to their school in Cincinnati, where he remained for five years. From this history one could reasonably assume that he had a good understanding of the motivations of those who were troubled by the Law. "In their . . . fear of desecrating the spirit of the divine command," he subsequently wrote, "the Rabbis established a level of observance which, in modern society, is within the reach of exalted souls but not infrequently beyond the grasp of ordinary man."[2]

More than Jewish misgivings, however, was the formidable challenge he experienced in the cultural wealth and dazzling splendor of that greatest metropolis in Western Europe of the late twenties. He recalls this encounter in one of his few autobiographical remarks, which I cited earlier. He tells us with what thirst he came to the university to drink in the teachings of its famed professors, and how gravely confronted he felt by them. In the evenings he would often walk the impressive streets of Berlin framed by powerful architecture and decorated with beautiful parks. One evening during such a walk, while considering which play or lecture to attend, he noticed the sun had set, and he had forgotten to pray the evening service. Upset, he began to pray. At this point he interrupted his report to ask, "Why did I decide to take religious observance seriously . . . ? Why did I pray, although I was not in the mood to pray?"[3]

Heschel used words with precision. When he asks, "Why did I decide to take religious observance seriously?" he is implying that there was another option that he had considered. Heschel's answer to the question he posed, both in this address and in works that followed, constitutes a formidable statement on the meaning of Jewish observance.

Let us consider his answer.

Omitting the evening prayer, he explains, "was not only the failure to pray to God during a whole evening of my life but *the loss of the whole*, the loss of belonging to the spiritual order of Jewish living. . . . [That] order . . . is meant to be, not a set of rituals, but an order of all of man's existence, shaping all his traits, interests and dispositions; 'not so much the performance of single acts, the taking of a step now and then, as the pursuit of a way, being on the way; not so much the acts of fulfilling as the state of being committed to the task, the belonging to an order in which single deeds, aggregates of religious feeling, sporadic sentiments, moral episodes become a part of a complete pattern.' "[4]

In response to Rudolph Harnack's *The Essence of Christianity*, the noted leader of the German Liberal/Reform movement, Rabbi Leo Baeck, wrote a book which he called *The Essence of Judaism* and which was seen as the premier statement of Liberal Judaism. While it is clear that Heschel accepted the notion of such an "essence," that is, a core of beliefs fundamental to and in summary of the Jewish faith, he was at the same time alert to the danger, lest such an abstract of Judaism be perceived as the whole. It is the danger of aggada alone. Ideas, after all, do not dwell in a void: lacking a living medium, removed from the substance out of which they are distilled and the forms through which they may be expressed, even the most precious "essence" can evaporate and disappear: the center may not hold. To make his point, Heschel, as he would often do, told a story:

"A friend of mine used to go to a small, beautiful park in Berlin. He would sit and think and relax. One day a man appeared with a violin and started to play. My friend loved music and had a good understanding of it, but, for the life of

him, he could not figure out what the man was playing. There seemed to be no harmony, no melody, no tune. Of course he was tolerant and did nothing to interfere, but this man came every day, playing, playing, and it made no sense. After some time, his patience exhausted, my friend inquired,

'What is the name of the composer whose works you are playing?'

'They have no composer,' he answered.

'What music is it, then?' my friend persisted.

'It is music *überhaupt*—music in general!' "

The vulgar Americanized version of this anecdote is the one about the confused newly elected rabbi who asks—after being advised by the synagogue president not to speak about the Sabbath because of golf, or about Kashrut because of the cost, or about the Hebrew school because of sports—what he *can* preach about—and is told: "Why, Judaism, of course!"

In moments of weakness, when beset by temptation and confusion, when the will is weak and the mind unsteady, even the right ideas alone prove inadequate. One can be more easily guided by the ever-present option of the Law. One need only to reach out and grasp a familiar, cherished mitzvah and be carried along to a clearer future. You give tzedakah, though you may do it for self-promotion; you say the kiddush prayer at the Sabbath table, though you may prefer to watch TV; you go to the synagogue, though you would rather sleep. The *siyata dishmaya* (heavenly grace) that Judaism makes available to mortal, faltering humans flows from the power of a pattern of living touched by the divine.[5]

Furthermore, no society can long abide anarchy. Indeed, anarchy itself is nothing more than the abandonment of one norm for the eventual assumption of another. Heschel once observed to me that a cardinal error of Martin Buber's was his antinomianism—that is, his rejection of the regimen of the halakha in the belief that nothing must restrain the freedom of human response to a particular situation—and cited the example of an Israeli kibbutz. When the kibbutz was established by members of the Zionist youth group whose mentor was Buber, it found itself no longer just a fellowship

of young idealists debating a cause or discussing a book, but a living flesh-and-blood community and, as such, in need of a "way," not just a theory. Having rejected the way of Jewish tradition, it adopted that of Marxism. The orthodox character of its left-wing philosophy, though modified over the years, was still so unyielding that, despite second thoughts on the part of the younger generation, the kibbutz refused a family request for a bar mitzvah not too many years ago and directed them to a nearby "religious" colony.

Karl Barth's Pauline-Lutheran position that, because man's sinfulness prevents him from performing good deeds, law must be abandoned in favor of a religion of grace, was labeled "heresy" by Heschel.[6] Though flawed, man *can* perform the mitzvot. Inwardness, admirable in itself, is not enough and can never provide an adequate avenue for religion. "Religion is not the same as spiritualism; what man does in his concrete physical existence is directly relevant to the divine. . . . The innermost chamber must be guarded at the uttermost outposts."[7] If the Greeks stressed right thinking and the Christians right belief, Israel's emphasis was upon right living. What one must do here and now is the core of religion according to the prophets. "What *creed* is in relation to *faith*, the *halacha* is in relation to *piety*. As faith cannot exist without a creed, piety cannot subsist without a pattern of deeds. . . . Judaism is lived in deeds, not only in thoughts." From this vantage point, Judaism can be described, in Heschel's memorable phrase, as "the theology of the common deed."

Religion is not a matter of the heart alone. It embraces life, all of life. "Jewish tradition," wrote Heschel, "maintains that there is no extra-territoriality in the realm of the spirit. Economics, politics, dietetics are" all included. Moreover, "it is in man's intimate rather than public life, in the way he fulfills his physiological functions that character is formed."[8] He argued that in beginning with the finite, we can reach the infinite, and suggested that, instead of a leap of faith, "A Jew is asked to take *a leap of action* . . . to do more than he understands in order to understand more than he does."[9]

Scripture tells us that the people-Israel responded to the revelation at Sinai with the words "We shall do and we shall understand" (*na'aseh v'nishma*). Should the order not be reversed, first "understanding" and then "doing?" Heschel would often quote the Besht's resolution of this puzzle: in the "doing" (*asiah*) is the "understanding" (*shmiah*) (Ex. 24:7).

Heschel rejected the body/mind dualism that the West inherited from the Greeks in favor of biblical monism whereby body and mind form a single unit. He believed that by replacing the dominant Greek/German categories of thought with those of the Bible, solutions could be found to many contemporary philosophical problems. Most of his books are an attempt to do just this.[10] One example of biblical monism is the Hebrew word *nefesh*, which is commonly translated "spirit" or "soul," but, in fact, means body and soul, the entire "person." "Implicitly, the assumption that 'knowledge' is cognitive, that one can know something by reading about it or being otherwise informed about it, is fundamental to much of what we do. Our assumption that knowledge is acquired through thought, which is a distinct and localized phenomenon, is at the heart of our entire educational enterprise." One learns "rationally," with the mind, but also existentionally from "doing." Heschel, of course, is not impugning the importance of knowledge gathered through the mind, but he denies that this is the only form of cognition, arguing that experience, bodily behavior itself, also affords knowledge, a different kind of knowledge, knowledge that the mind can often only touch on and hint at. One will never really know what milk tastes like if one has never tasted milk. All the books on what a mother means cannot convey motherhood to one who has never known his mother. In the performance of the mitzvah one learns from doing. Judaism stands for the "theology of the common deed."[11]

However, any regimen can fall into the trap of unthinking, mechanical behavior. One way out of that problem is to perform the mitzvah only in inspired moments, only when we feel like it. But, Heschel reminds us, "in abrogating regularity we deplete spontaneity."[12] Moments of inspiration are

rare. The mind is often dull, bare, and vapid. "What may seem to be spontaneous is in truth in response to an occasion. The soul would remain silent if not for the summons and reminder of the law. . . . For this reason the Jewish way of life is to reiterate the ritual," to follow a *routine.* It is not only the goal but the way that is important. Thus, Heschel adds, "the very act of going to the house of worship" with regularity "is a song without words." One can and should do what the Law requires, even when one does not feel like doing it, because "The path of loyalty to the routine of sacred living runs along the borderline of the spirit. . . . Routine holds us in readiness for the moments in which the soul enters into accord with the spirit. While love is hibernating, our loyal deeds speak. It is right that . . . good actions should become a habit. . . . A good person is not he who does the right thing, but he who is in the habit of doing the right thing."[13]

Tradition, as Will Herberg put it, is the funded wisdom of the past. We do not create tradition simply by pulling a switch, convening a committee, or contracting a scholar. Tradition is filtered through the ages and takes on the holiness with which generations more pious than ours have invested it. In the oval office of John Kennedy hung the motto: "Whatever it is not necessary to change, it is necessary not to change." *Continuity* is vital, argued Heschel, for "Without solidarity with our forebears, the solidarity with our brothers will remain feeble." We need not simply repeat what was, but "integrat[ing] the abiding teachings and aspirations of the past into our thinking will enable us to be creative. . . . Our way of life must remain such as would be, to some degree, intelligible to Isaiah and Rabbi Yochanan ben Zakkai, to Maimonides and the Baal Shem."[14]

What of those who created that pattern of deeds, who established that continuity which has withstood the ravages of time, who labored in the Law, mastered it, and applied it, whatever the vicissitudes of the land or the age? "In their eyes," Heschel writes in his moving eulogy for East European Jewry:

> the world was not a derelict which the creator had abandoned to chance. Life to them was not an opportunity for indulgence, but a mission entrusted to every individual, an enterprise at least as responsible, for example, as the management of a factory. Every man constantly produces thoughts, words, deeds, committing them either to the powers of holiness or the powers of impurity. He is constantly engaged either in building or in destroying. . . .
>
> Scientists dedicate their lives to the study of the habits of insects or the properties of plants. To them every trifle is significant; they inquire diligently into the most intricate qualities of things. [So] the pious Ashkenazic scholars investigated just as passionately the laws that ought to govern human conduct. . . . Wishing to banish the chaos of human existence and to civilize the life of man according to the Torah, they trembled over every move, every breath. . . . Just as the self-sacrificing devotion of the scientist seems torture to the debauchee, so the poetry of rigorism jars on the ears of the cynic. But, perhaps, the question of what benediction to pronounce upon a certain type of food, the problem of matching the material with the spiritual, is more important than is generally imagined.
>
> Man has not advanced very far from the coast of chaos. A frantic call to disorder shrieks in the world. Where is the power that can offset the effect of that alluring call? The world cannot remain a vacuum. We are all either ministers of the sacred or slaves of evil. The only safeguard against constant danger is constant vigilance, constant guidance.[15]

Heschel devised what he called a *pedagogy of return,* a way of reaching and leading the modern Jew to the way of mitzvot. In Heschel's hands, this teaching became reminiscent both of the love of the people Israel (*'ahavat Yisra'el*), exemplified by such of his Hasidic ancestors as Rabbi Levi Yitzhak of Berditchev, as well as of the doctrine of the "descent of the Tzaddik" (*yeridat ha-tzaddik*), by which the Hasidic leader journeys out and down to the people to befriend them and draw them up from the pit of ignorance and error.[16]

Beware, Heschel counseled the American rabbi: neither condemn your congregants too harshly for their lack of

knowledge and observance, nor demand too much too soon. Do not confront them with the option of "all" or "nothing." (Rosenzweig had said the question was not "das alles oder das nichts" but "das etwas.") Before passing judgment, one is obligated to try to understand the dilemma of the modern Jew. After returning from a lecture tour, Heschel once observed to me that, considering the discouraging conditions of the Jewish community—the lifeless synagogue, the bar-mitzvah–oriented school, the home drained of Yiddishkeit—it was remarkable that so many American Jews, especially young people, were still open to Jewish ideas. Had he been raised in such an atmosphere, Heschel mused, he wondered if he would have remained an observant Jew! He admired the young Jew who had been given so little of Jewishness and still holds on, as if hoping for something to happen. For all these reasons, Heschel argued, the Jewish leader must establish what he called a *ladder of observance* in which the modern Jew is sought out and met on whatever level his circumstances place him and then be shown how to rise one rung at a time as far as he can go, and even, Heschel would add, a bit further.

Turning from the expository, Heschel sounded a more personal note when not long after his address at the convention of Reform rabbis, the students of The Hebrew Union College, not to be outdone by the rabbis, invited their erstwhile teacher to address them. Now, no longer a member of the faculty of that institution, he felt freer to express himself, even to the point of exhortation.[17] "I am not an halakhist," Heschel told them.

> My field is Aggada. . . . But, remember, there is no aggadah without halakha. There can be no Jewish holiness without Jewish law, at least the essence of Jewish Law.[18] Jewish theology and tefillin go together. . . . Why are you afraid of wearing talis and tefillin every morning, my friends? There was a time when our adjustment to Western civilization was our supreme problem. . . . By now we are well adjusted. . . . Our task today is to adjust Western civilization to Judaism. America, for example, needs Shabbos. What is wrong with Shabbos, with saying a *brokho* [blessing] every time we eat, with regularity of prayer? What is wrong with spiritual discipline? It is only out of such spiritual discipline that a new manifestation of human existence will emerge. I say *human* and not Jewish existence, because Judaism, which can be very concrete, answers universal problems. It is not a parochial matter to me. I am beset by the same problems that confront a Mohammedan, Christian, or Buddhist. Judaism is an answer to the problems of human living. But it is an answer in a special way. Let us not forfeit the way.

In the question-and-answer period that followed, Heschel became animated:

> What is wrong with Jewish Law? . . . What it is wrong with going to a restaurant and being unable to forget that one is a part of the covenant between God and Israel? It may be uncomfortable. It *is* uncomfortable. But what is our motivation if we do not accept halakha? If I am really interested in being reminded of the presence of God, of being reminded that I am part of the eternal people, that I am a Yehudi, that I am almost the ineffable name of God,[19] then I am honored by [the halakha], and I need it. I could not be without it. And I see nothing in the tradition of Reform Judaism to abolish it. European Reform did observe much of the halakha. [The abolition of halakha] was an episode in American Reform Judaism. To reform Jewish Law is one thing, but to do away with it is quite another.

"When I was at the Hebrew Union College," he remarked, finally, turning the onus upon the students,

> the issue of halakha was widely discussed. Many sermons were delivered by students calling upon the Central Conference of American Rabbis [the Reform rabbinical body] to revitalize halakha. But I shall tell you a secret. I know many members of the Central Conference. They wait for the student body. It is the student body that could have the courage and vision of bringing about the revitalization of the Jewish spirit. Why do you not do something about it?

Heschel struck another note in this hitherto-unknown address to the Hebrew Union College students, a note that is

hardly duplicated in his writings or conversations, because it is a sarcastic critique of the Reform rabbinate. Harsh criticism of others was not in Heschel's vocabulary. For example, he did not respond by name to those who attacked him, believing that his energies should be put to more constructive use. However, after his memorable address on halakha to the Reform rabbis and this invitation by the students of Hebrew Union College, he no doubt wanted to unburden himself of feelings that had been pent up while he was in Cincinnati. Gratitude for having brought him out of Warsaw a few weeks before the Nazi invasion was a primary reason for his former restraint, but also, as mentioned above, he hoped to influence the students in the direction of a more traditional Judaism, such as that of the German Liberal model with which he was familiar from his years in Berlin. American Reform's rejection of halakha, he reminded them, may have only been one stage, an "episode," in its history.

Heschel's frankest statement on the Reform rabbinate and, by implication, with the institution training them, is contained in an anecdote he recounted during that visit to Cincinnati. Essential to returning American Jews to Judaism, and a compelling concern of Heschel's, were knowledgeable and committed rabbis. He understood the fruitful lesson of the Baal Shem Tov that the revival of the depressed Jewry of the eighteenth century depended upon the leader, and, consequently, strove to create a new kind of rabbi, the zaddik. Heschel knew from his upbringing what a true leader was. In his youth, he had been surrounded by exceptional rabbinic figures, was the descendent of many such generations, and was raised to become one himself. Indeed, during his youth it was widely held that he would become *the* leader to save Polish Hasidism.

What of the twentieth-century American rabbi? With the fall of European Jewry and the virtual obliteration of Polish Jewry—for Heschel the heart and mind of European Judaism—he saw as one of his major tasks the training of spiritual leaders who would awaken American Jews to their faith. Heschel had spent five years in Cincinnati where he had

ample time to understand the dilemma of the Reform rabbinate: their "mile-wide, inch-deep" failed education, their futile attempt to revive worship by ever revising the liturgy, their misguided notion that spiritual problems can be dealt with through administrative techniques, and their lack of passion. After all, how could one succeed with a limited knowledge of Hebrew, little Talmud or Midrash, a scientific but not theological training in Bible, and without a commitment to Jewish "learning," to the authority of tradition, and to the ancestral pattern of Jewish living, but, all the while assured of being quite prepared to teach and guide one's congregants? An example of the stifling spiritual atmosphere that prevailed at the Hebrew Union College is the fact that during the years I studied there, from 1942 to 1945, I can hardly remember a student discussion of the Holocaust. Nor was the topic taken up by any of the public celebrities passing through the city who were invited by the students to address them.

With this situation in mind, one can better appreciate the tale Heschel recounted toward the end of his remarks to the students during his visit, told with tongue in cheek. "I would like to tell you a Hasidic story," Heschel began.

> Mishna Peah 8:9 says that "If a beggar evokes pity, pretending that he is lame or blind, then he will be punished by really becoming lame or blind." Now, there was a great rabbi who died well over one hundred years ago by the name of Rabbi Simha Bunim of Psyshkha. In those days there were those who took the title and played the role of a Hasidic rabbi, but, if you will forgive the expression, were really fakers. Painfully aware of the situation, Bunim asked, "So, what should be the punishment of one who is not worthy of being a rabbi but claims to be a rabbi? According to the Mishna, he will become a *real* rabbi! But is that a punishment?"

In answer to that question, Heschel continued, Bunim told this tale:

> There was a Russian peasant named Mushka. The other peasants decided to play a joke on him. First they got him good

and drunk, then they dressed him up in the gown of a priest, took him to church, and sat him down on the priest's chair near the altar. Mushka slept peacefully for quite a while. When he awoke, he was still groggy from drink and barely able to move. Though he looked like a priest and was sitting on the priest's chair in church near the altar, he had a growing recollection of just being a peasant! He must be asleep, he thought, only dreaming of being a priest. That thought put him at ease.

But was he really asleep? He noticed that he was able to do certain things, like touching and holding and walking, which sleeping people are unable to do. It must be the other way around, he thought. He is not a sleeping peasant but an awake priest. Anybody can see that. And as to having been a peasant, that must just be a dream he once had.

But this, too, did not make sense. The memory of being a peasant was too real. After all, he felt like a peasant and had only peasant memories.

Now he was thoroughly confused: Was he still asleep, a peasant dreaming that he was a priest, or was he awake, a priest who had only dreamt he was a peasant? In short, was he priest or peasant?

Being very shrewd, Mushka recalled that when he used to go the church, the priest would take out a big book and read it as part of the service. Now, he knew that only the priest was able to read. There was the book before him. He would open it. If he could read the book, it would prove that he was a priest; if not, he would just be a peasant.

He opened the book—and could not read a single word. Alas, that meant that he was a peasant, asleep, just dreaming he was a priest.

But how could that be? After all, his clothes were the clothes of a priest, he was in the church of the priest, sitting on the throne of the priest, and, what is more, he felt fully awake!

Then the answer dawned upon him.

"I am really a priest. And as to my not being able to read—*Who says priests can read?*"

An illiterate priest whose duties require him to be able to read is an embarrassment. So with the rabbi who lacks the knowledge to teach Judaism yet is expected to do so. Don't fool others, said the Rabbi of Kotzk, but, even more, don't fool yourself!

In summary, these are some of the essentials of Heschel's defense of halakha: the insufficiency of inwardness alone; the principle of law is more important than any particular law (halakhiyut vs. a halakha); the theology of the common deed; the leap of action; continuity with our forefathers; loyalty to a routine; living within a spiritual order; no extraterritoriality in the realm of the spirit; constant danger requires constant vigilance; a Jewish answer to universal problems; the ladder of observance; the pedagogy of return; the qualified teacher.

The Right

In the world of post-emancipation Jewry, the rejection of halakha became a rallying cry for classical Reform in the West and for the Jewish movements of secularism and enlightenment in the East. They viewed halakha as repressive, a barrier to their admission into Western culture, a barnacle of a fossilized past. The issue, of course, is still with us, but the tone is no longer shrill, the approach no longer uncompromising. Time, the collapse of the utopias of science and socialism, and especially the Holocaust, which obliterated the centers of traditional Judaism, have encouraged a reconsideration by all parties. Religious anti-traditionalists, along with anti-religious secularists, have muted their objections in part. A new respect for Jewish tradition is manifest.

However, if the left has moderated, the right has revived, expanded, and hardened. Extremism has shifted from one side to the other. Halakhic fundamentalism, expected by many to fade away in the glare of the twentieth century, has resurfaced not only in Israel, which is, after all, the Jewish homeland and the primary refuge for those who survived the Holocaust, but in the least accommodating environment imaginable: enlightened, liberal America. It has done so with a surprising energy that is both admirable and frightening,

continuing to accelerate, intimidating moderates, and claiming to delegitimize centrists.

A few bizarre examples of Jewish legal questions asked in recent responsa literature gives us a sense of the shocking extent to which matters have deteriorated: May one partake in the grace after meals at a United Jewish Appeal dinner if it is led by a non-Orthodox rabbi? Are Conservative rabbis heretics? In the event that an Orthodox synagogue is not available on Rosh Hashana, the New Year, may one go to a Conservative synagogue just to fulfill the mitzvah of hearing the blowing of the shofar? May an Orthodox synagogue employ a scribe to write a Torah or a marriage contract (*ketuvah*) or a document of divorce (*get*) if he has written a Torah for a Conservative congregation? May one hire a hazan who has prayed in a Conservative synagogue? Is religious tolerance grounded in Torah or merely the aping of gentile ways (*hukat hagoyim*) and contrary to Jewish teaching?[20] The fact that such cases are taken sufficiently seriously to be published is evidence of the menacing spirit abroad in the land.

As the Holocaust plays a role in moving the left to a greater openness toward tradition, so it contributes to the rise and the hardening of the extreme right. An example of this has been the shift from venerating Western culture as the source of all blessing to vilifying that culture as the source of Auschwitz. Thus, the teacher in a *baal teshuvah* yeshivah sneeringly responded to being told by a new student that he had majored in Shakespeare at Yale: "Shakespeare! A *shikker goy*!" Nor is this the first time in history that Jews have retreated into the tightly drawn corners of the ghetto behind the high walls of the Law. Even in the Talmud, a sage observes that if you allow yourself to be distracted from the study of Torah to admire a beautiful tree, you are deserving of punishment.[21]

Only consider that as far back as the early nineteenth century, Rabbi Jacob (Yokev) Ettlinger, venerated as "the last Gaon of Germany," could attend a university, as, prior to the Holocaust, could the late Lubavitcher Rebbe, while America's best-known talmudist, Rabbi J. B. Soloveitchik,

could receive a doctorate on the philosophy of Hermann Cohen from the University of Berlin in the 1930s, or that faculty members of the Liberal Jewish seminary in Berlin could contribute articles to the *Festschrift* for the chief judge of the Jewish court in Berlin and professor of codes at the Orthodox seminary. The Talmud records that once " 'Aher' [the noted heretic Elisha ben Abuya] was riding upon his horse [in violation of the laws of] the Sabbath with Rabbi Meir walking behind him to learn Torah!"[22] Would such fraternity or such achievements in secular education be possible today after the Holocaust? Even at the "moderate" Yeshiva University, one must search long and hard to find mention of such classic works of scholarship as the monumental fourteen-volume edition of and commentary to the Tosephta by Rabbi Saul Lieberman or the seminal works of Abraham Heschel, because they were associated with a Conservative and not an Orthodox seminary. It is difficult today to conceive of an Israeli rabbi who is university trained or one emerging from a Brooklyn yeshivah with a doctorate in the humanities.[23]

The president of Yeshiva University, Norman Lamm, titled his book *Torah and Culture* (*Torah Umada*), in an attempt to assert continuity with the more worldly Orthodox seminaries of Berlin and London. It was not to be. Instead of establishing itself as "middle-of-the-road" Orthodoxy, Yeshiva University has become peripheral to the powerful Brooklyn yeshivot where university studies are taboo. The Westernization of Orthodoxy, best symbolized by the general agreement that Christians are not to be treated as idolaters, with all that implies halakhically, is being questioned today.[24] Indeed, since the Holocaust, Orthodoxy has been steadily moving to a repudiation of its adjustment to Western culture.

For some years now Orthodox rabbis and laymen (including the so-called moderates) refuse to sit with non-Orthodox for almost any purpose. The Synagogue Council of America, the erstwhile all-embracing synagogue body that dealt only with *non*-religious issues, had to disband a few years ago be-

cause of the withdrawal of the Orthodox from even such an association. A striking case of the move rightward is found in a study of the eulogies that appeared in right-wing Orthodox publications marking the death of perhaps the single most influential figure in American Orthodoxy, Rabbi J. B. Soloveitchik, who single-handedly trained a generation of rabbis who made Orthodoxy intellectually acceptable to American Jewry. They extended only half-hearted praise, denying Soloveitchik the customary honorific *zekher tzaddik livrakha* ("the memory of the righteous shall be for a blessing"). He is rarely mentioned in these circles today.[25]

Heschel was one of the most persuasive defenders of Jewish tradition, who decried Judaism without halakha as a soul without a body. Yet he was careful to add with equal vigor, that Judaism without aggadah is like a body without a soul. In addition to the danger on the left was the danger on the right. He would quote Hermann Cohen's quip that there are two kinds of rabbis: one who is willing to kill every *din* (law) for a Jew, and one who is willing to kill every Jew for a *din*. Believing both are wrong, Heschel did not hesitate to take up the claim of the latter as well as the former. Eloquent defender of tradition against the left, Heschel now becomes the critic of the extreme right.

He did so with notable credentials. Heschel had been a brilliant Talmud student. He studied with private tutors and then alone in the Bet Midrash, since it was not the custom of the Hasidim to send their sons away from the influences of home and family to attend yeshivot in distant towns. Among his teachers was the noted Rabbi Menahem Zemba of Warsaw. Heschel's first published writings at age fifteen were in one of the most respected halakhic journals in Warsaw.[26] Rabbi Hayim Zimmerman, the eminent talmudist, observed, after having read Heschel's work on rabbinic theology, *Torah min Hashamayin*, that it must have taken at least ten years of unremitting labor to write it. (Actually Heschel composed that work in two years, while involved in a number of other major projects, and without assistance. He later explained to me that, once he began, it just poured out as if

it had been stored away in preparation for that moment.) At a family gathering at the time of his marriage, one rabbinic relative after another expounded his virtues, until the slight figure of his uncle, the Novominsker Rabbi, probably the most learned of all the Hasidic rabbis who had come to America, arose and objected: "Why are you praising him for all these gifts, which he certainly possesses? He is a great *lamdan* [talmudic scholar], a great *talmid hakham*, and that is more important than anything else."

Heschel understood that so legal a religion as Judaism faced "a perpetual danger of our observance and worship becoming mere habit."[27] He noted that in the seventeenth century Rabbi Isaiah Horowitz had observed that Jewish piety expressed itself over the centuries by continually adding to the requirements of the tradition. So fervent was spiritual intensity among Jews of the past, explained Heschel, that it was possible to expand the prayerbook, appending prayer upon prayer, and still pray with *kavana* or devotion. Now, however, we are faced with a dilemma in which we have kept the long prayers but no longer possess the inner spirit. "[O]bservance has, at times, become encrusted with so many customs and conventions that the jewel was lost in the setting." The tragedy was that "Outward compliance with externalities of the law took the place of the engagement of the whole person to the living God."[28] Some twenty-five hundred years ago Isaiah warned against mitzvot performed by rote *mitzvot melumadot*. To contend with this perennial problem, numerous attempts to renew Judaism have been made since the time of the Bible, most notably in recent times by Hasidism, which breathed new life into the law. However, as the time-span increased between themselves and the period of its founder, the Baal Shem (1690–1760), most Hasidim have become legalists as uncompromising as the others. In a greater or lesser measure, the modern movements of Haskala, Bundism, Zionism, and Reform were all directed against the uncompromising rigidity of nineteenth-century East European Judaism.

Ish Halakha

When J. B. Soloveitchik's essay *Halakhic Man* (*Ish Ha-halakhah*) appeared, it was made the subject for a seminar session with Heschel. After each of us had our say, Heschel spoke. Most of his thoughts were later refined in print in various publications, but the freshness of the spoken word has its own merit. Here are his comments as I recorded them:

"*Ish Ha-halakha* [Halakhic Man]? *lo hayah velo nivra ela mashal hayah* [There never was such a Jew]! Soloveitchik's study, though brilliant, is based on the false notion that Judaism is a cold, logical affair with no room for piety. After all the Torah *does* say, 'Love the Lord thy God with all thy heart and soul and might.' No, there never was such a typology in Judaism as the halakhic man. There was—and is—an *Ish Torah* [a Torah man] who combines halakha and aggadah, but that is another matter altogether. When I came to Berlin, I was shocked to hear my fellow students talking about the problem of halakha as a central issue. In Poland it had been a foreign expression to me. Halakha is not an all-inclusive term, and to use it as such is to restrict Judaism. 'Torah' is the more comprehensive word. But the Orthodox often speak of halakha, instead of Torah. Halakha has very little to do with theology; in fact, some of them think that we have no need for theology at all. In the words of one Orthodox figure, *'shor shenagah es haporoh* is our theology.' (That is to say, the study of the Talmud, even such dry, legal portions as this—'assessing the damages done by an ox that gored a cow'—is all the theology needed.)[29]

"We are living in one of the periods of Jewish history when aggada has been devaluated. For when you say halakha, you exclude aggada. But they are inseparable. The Maharsha (R. Samuel Edels, d. 1631), whose greatness has not been sufficiently appreciated, composed two separate Talmud commentaries, one to the aggadah and one to the halakha. But, after completing them, in the introduction to the former he confesses to having erred, 'for one must not separate but join them as two sisters . . . for the halakhot and aggadot comprise one Torah for us' In such a person as the *Ish Ha-halakhah* [Halakhic man] there is little room for the spontaneous, for *rahamanut* [compassion]. The Jews in Alexandria mistakenly translated the Torah as *nomos*, law. But the [Aramaic] Targum translates it *orayta* or *rahmanut*. True, without halakha there can be no Judaism, but is halakha everything? Halakha is *din Torah* [the letter of the Law]. According to the Talmud, Jerusalem was destroyed because they were judging only according to *din Torah*, the letter of the Law, and not *lifnim mishurat hadin*, beyond the letter of the Law. The Law is necessary but not sufficient. 'Thou shalt be holy,' we are commanded. But what are the boundaries of holiness? Nahmanides reminds us that it is what God expects of us in *all* of life, both in that part which the Law covers and in that part which it does not, for 'it is possible to be a *naval* or scoundrel even while observing the Law.' What biblical passage is there, asks a Rabbinic sage, upon which all the Torah depends [*kol gufei Torah t'luiyim bo*]? He answers with the verse from Proverbs 3:6—'Serve Him in all your ways' [*B'khol d'rakhekha da-ei-hu*], that is to say, not only the prescribed legal ways but also in the ways for which there is no Law. It is this perspective which is being forgotten among those who exclusively stress halakha. Is not the verse, 'I have set the Lord before me at all times'—*Shiviti Adonoi l'negdi tamid*—at least as important as the passage, *Shor shenagah es haporoh*?

"The legalistic attitude has profoundly influenced Jewish observance, distorting ritual prescriptions over moral ones. Some Jews who refuse to discuss Torah [*dvar Torah*] without wearing a hat have no hesitation in repeating gossip [*lashon hara*] even while wearing a hat. Some who are upset by the bloodspot on an egg [which renders it un-kosher] ignore the bloodspot on a dollar bill. Why only *hashgaha* [religious supervision as to the proper observance of the Law] in restaurants but not in our banks, in butcher shops but not in our offices? We are alert to the laws of milk and meat but lax to the laws against lying and taking revenge [*Lo titor; midvar sheker tirhak* (Lev. 19:18; Ex. 23:7)]. Those halakhot

have become 'mere' aggadot,[30] which is to say, they are not taken seriously. Now, what would happen if we were to turn some of the aggadot into halakhot? For example, despite the fact that the Talmud does not say, 'Cast yourself into the furnace rather than eat pork,' we are careful not to eat pork. But it does say 'Cast yourself into a furnace rather than shame another in public,' and still we ignore it. Perhaps changing such an aggada into halakha is the way to bring the Messiah?

"Halakha alone is not enough. The Law guides, but it needs the heart to guide also. Halakha is an *answer* to a question, namely: What does God ask of me? The moment that question dies in the heart, the answer becomes meaningless. That question, however, is agadic, spontaneous, personal. . . . The task of religious teaching is to be a midwife and bring about the birth of the question."[31]

Heschel continued his remarks on Soloveitchik by citing the Talmud: " 'Since the Temple was destroyed, all that has been left to the Lord is the four cubits of the halakha.'[32] This passage, usually understood in praise of the halakha, is nothing of the sort. It reflects not jubilation but remorse, as if to say: *Nebekh* [Alas], it was *takke shlekht* [unfortunate] that *Hakadosh Barukh Hu* [the Lord] was left with only the halakha!"

Elsewhere Heschel has written that in the exile "man's attentiveness to God became restricted to matters of halakha,"[33] as if He were absent from the wider world. But "A Judaism confined to the limits of the Halacha, with all due respect be it said, is not exactly one of the happiest products of the Diaspora."[34]

"One arch rabbinic expression of anti-aggadic bias questions the very order of events in the Torah. For if we take Torah to mean *nomos* or 'Law,' and understand it as the law book of Israel, then should it not have begun with the first law cited in it about the New Moon, which does not appear until the twelfth chapter of the Book of Exodus, and skip such less important, non-legal, aggadic chapters as creation, Adam and Eve, the flood, the lives of the patriarchs, and the

enslavement in Egypt!? That famous hasidic rabbi, Rashi"—Heschel went on with a smile—"chooses to open his commentary to the Bible with a rejection of this very query. Listen to how my ancestor, Rabbi Levi Yitzhak of Berditchev, dealt with the issue by paraphrasing Rashi's question—*Mah taam patah bivreishit* ['What is the reason the Torah begins with the story of creation and not the laws?']—into the Yiddish, '*Vos far a "seese tam" pasah bivrayshis*—With what a sweet taste did the Torah begin with the wonderful stories of creation' [instead of with the laws of the new moon, etc.]. 'The Torah,' added Heschel, 'is quite correct to commence with the creation story rather than the legal portions, for only a life-giver can be a law-giver.' "[35]

More than Halakha

Against those who argue that aggada is inauthentic, too individual and ephemeral, and that halakha is the only legitimate guide to Jewish teaching, that Judaism is, as one scholar put it, "halakhocentric," Heschel would contend that although it may appear as if aggada has been subservient to halakha, actually the reverse is the case: "halakha is dependent upon aggada."[36] It provides the motivation, the vision, and the values, for which halakha is the means, the expression, the program. We understand halakha better than aggada because of the excellent tradition, both oral and written, on the meaning of the halakha. Aggada suffers from the lack of such a continuous tradition. Even the scholars of the emancipation minimized the aggada, while the yeshivot would often skip the aggada to get to the halakha. "Perhaps," Heschel once suggested to me, "that is one of the reasons we are having such problems with the halakha today—*because* we skipped the aggada!" For Heschel believed that aggada, not halakha, is the central problem today, and that once we clarify ideological issues, then halakhic questions would more easily fall into place.

In his monumental three-volume work, *Torah min Hashamayim: The Theology of Ancient Judaism*, Heschel demon-

strated the validity of his theory on the centrality of the aggada. "In order to appreciate what Heschel has achieved in this work," writes Jacob Neusner,

> one must keep in mind that until now we have had no really adequate explanation of the thought . . . behind the numerous sayings of talmudic rabbis dealing with matters of faith. . . . Heschel assumed . . . that certain figures should be made the focus of a historical-theological study, to see whether in a tentative fashion we may come to an adequate principle underlying and unifying their sayings and disputes. . . . Through an exhaustive examination of [Rabbi Akiba's and Rabbi Ishmael's] teachings, Heschel finds immanental opposed to transcendental religion, mysticism to rationalism. . . . Some have argued that aggadah, meaning religion and theology, . . . is irrelevant to Judaism. Judaism has no dogma, only halakhah—a law, a pattern of action. However, Jews are not robots, contented with mindless repetition of meaningless action. They have always . . . been thoughtful people. . . . Hence the aggadic parts of the Talmud . . . have been included in our tradition, not because ancient academicians could not find a better entertainment for their idle hours, as some exceptionally dull-souled expositors have maintained. Heschel has demonstrated in these volumes that the Rabbis were just as serious, just as penetrating, and just as self-consistent in theology as in law, for precisely the same reason, and in much the same manner. . . . And he has shown this not by preaching or arguing, but by a close and careful study of sources. Until now, we have had to accept the judgment that the Rabbis were not really interested in ideas, only in law. We no longer need to take seriously such a shallow opinion, for we can see it demonstrated with truly halakhic precision that the Rabbis of the Talmud were at least as concerned with theology as they were with law.[37]

Heschel called this common misunderstanding of Judaism "pan-halakhism," and the style of life that followed from it "religious behaviorism." Religious behaviorists usually "speak of discipline, tradition, observance, but never of religious experience, of religious ideas." For them, Judaism consists of "laws, deeds, things." Belief is not important,

only keeping the law. Judaism, in this sense, becomes a kind of "sacred physics." Surprisingly, Heschel traces this notion to Spinoza, who argued that the Bible is not religion: it has " 'only very primitive notions' " of God. " 'Israelites knew scarcely anything of God,' " only law and politics—and to Mendelssohn, who claimed that " 'Judaism is no revealed religion . . . but only *revealed legislation* . . . freedom in doctrine and conformity in action.' " (It was from Spinoza, notes Heschel, that Kant and Hegel inherited the notion of the inferiority of the Bible.) According to Heschel, then, the two leading philosophers who prepared Jewry to enter into the new world of the West—and often out of Judaism altogether—paradoxically paved the way for the "Pan-Halachism" of the Orthodox.[38]

But Judaism is more than Law. "Halacha must not be observed for its own sake but for the sake of God. The law must not be idolized. It is a part, not all, of the Torah. We live and die for the sake of God rather than for the sake of the law."[39] Indeed, it is even possible to forget God in the punctilious observance of the Law.

> Judaism is not another word for legalism. The rules of observance are law in form and love in substance. The Torah contains both law and love. Law is what holds the world together; love is what brings the world forward. The law is the means, not the end; the way, not the goal. One of the goals is "Ye shalt be holy." The Torah is guidance to an end through a law. It is both a vision and a law. Man created in the likeness of God is called upon to re-create the world in the likeness of the vision of God. Halacha is neither the ultimate nor the all-embracing term for Jewish learning and living. . . . The Torah comprises both halacha and agada. Like body and soul, they are mutually dependent, and each is a dimension of its own.[40]

Furthermore, argued Heschel, built into Rabbinic law was a marvelous resiliency, a wonderful capacity for adapting to changing conditions and times, a capacity that has all but been stifled in certain circles. If some in the Reform camp think that they do not need the law, Heschel said, others in the Orthodox camp believe that they already possess it,

holding that the law is unchangeable, fixed and final, once for all. This violates not only the canons of historical development but the very self-understanding of the Torah itself. The Law is anything but final. *"Judaism,"* writes Heschel, *"is based upon a minimum of revelation and a maximum of interpretation. . . . The Bible is a seed, God is the sun, but we are the soil."*

We are the soil! "Every generation is expected to bring forth new understanding and new realization." The authority to interpret is given to the sages, who "have the power to set aside a precept of the Torah when conditions require it. Here on earth, their opinion may [even] overrule an opinion held in heaven." The notion of the fluidity of the Law was carried to its extreme by Rabbi Menahem Mendl of Kotzk who expressed astonishment at the audacity of writing down the oral teaching during the time of the Talmud. So strict was the prohibition that doing so was likened to "burning the Torah." The Rabbis, nevertheless, felt "it is better that one part of the Torah shall be abrogated than [that] the whole Torah be forgotten. The accumulation of the vast amount of learning, the scattering of Jewish communities, and the weakening of memory militated against the oral system." They found authorization for their decision by reading Psalms 119:126 as: "There comes a time when you may abrogate the Torah in order to do the work of the Lord." How, the Kotzker asked, can one justify contravening what Jews, in obedience to clear prohibitions, refused to do for centuries? "The truth is," he explained, "that the oral law never has been written down. The meaning of the Torah," concludes Heschel, "has never been contained by books."[41]

Heschel was too awesome a person for me to challenge very often. One night, however, we had a discussion in his office that lasted several hours. The first volume of his *Torah min Hashamayim—A Theology of Ancient Judaism* had just been published. "Now that you have refuted the fixed notion of the tradition which has dominated so much of our thinking," I implored, "are you not obligated to take up the

practical consequences? Must you not now demonstrate in the second volume how this understanding relates to the burning issues of revelation and halakha which so trouble us?" We talked until the early hours of the morning. It was then that he told me a story that illumined all that he had written about the Law and all that he had lived. It helped me to understand where he stood in the matter of Jewish observance.

"Sam," he said, "I am going to tell you a story I cannot tell anyone else here at the Seminary, because they [Lieberman? Finkelstein? both esteemed talmudists of the Lithuanian school] would not understand me. My father died when I was nine. At about fourteen or fifteen, I began to study Polish as a window to the wider world. We had no money for lessons, so my family in Vienna provided help. When they could no longer continue, I grew despondent. One Friday afternoon before services I was sitting on my father's chair in our *shtibl* [the Hasidic prayer house] in a sad mood. Itchi Meir Levin, a Kotzker Hasid who usually prayed with us on Shabbos, walked in. He was very close to me, a kind of mentor. I went over to him to discuss my problem, but he dismissed me with the words '*Di Gehenom brennt in mir.*' ['Hellfire burns in me.' That is, he was struggling to purify himself for the oncoming Sabbath, when the gates of hell were said to close, by ridding himself of the traces of Gehenom.] I returned to my chair and prayed the evening service with the small group of Hasidim who had arrived. Afterwards Itchi Meir, who observed my dismay, told me that the next morning before Sabbath services he would bring me a newly published booklet of the writings by my ancestor Pinhas of Koretz, the friend of the Baal Shem Tov.

"The next morning I was sitting alone in my father's seat before the quorum for prayer had gathered. Itchi Meir arrived and gave me the book he had promised. Eager to examine it, I took it and opened it. To my astonishment I discovered that it contained money, which, of course, is forbidden to be handled on the Sabbath. As if holding fire, I dropped the book immediately. But Itchi Meir calmed me

down by explaining that according to Kotzk there are times when one may violate a minor law in order to perform a major mitzvah. He had known how important my Polish lessons were to me and had seen the despair on my face the previous evening on having to discontinue them. For a Hasid no sin is more grievous than despair. '*Atvsvus* [despair] on Shabbos!?' To save me from sadness he had violated the proscription against handling money on the Sabbath![42]

"Hasidism saved me for Judaism."

God, Israel, and Torah

In a little-known address given in Israel in 1972, shortly before his death, Heschel argued that the secret of Jewish survival is found in the famous statement: "God, Torah, and Israel are one." Or, more correctly, it is found in the proper balance among these three entities. He meant that as long as they were kept in balance through an harmonious relationship, one with the other, Jewish life would flourish despite the danger of outward conditions. But when they were in discord, when one of the three was stressed over another, or one neglected for the sake of another, then calamity threatened.

The three denominations of Judaism can be viewed from this vantage point. Reform, in an effort to clear away the overgrowth of custom and Law, and to rectify the chaotic reality of traditional Judaism, fell victim to its own revision by emphasizing theology to the neglect of Torah and the people-Israel. In the search for a "platform," whether the one that emerged from Pittsburgh in the nineteenth century or the one approved in Columbus in the twentieth, it lost the ground upon which to secure its goals. This neglect expressed itself (*a*) in its adoption of the Protestant Sunday School, despite the inadequacy of such a flimsy institution to transmit the highly intellectual and complicated tradition of Israel, to say nothing of the Hebrew language; (*b*) in a liturgy pruned of cantor, Hebrew, and passion; and (*c*) in its anti-

nationalist and later anti-Zionistic position—"Berlin is our Jerusalem."

Imbalance similarly reveals the weakness of Conservatism in its stress on peoplehood—Clal Yisrael, Zionism, "Catholic Israel"—to the neglect of theology. This neglect is evident in its recent positions on abortion and homosexuality, which appear to be influenced more by the mood of the time than by the teachings of Judaism. Indeed, some conservatives have boasted of the absence of a unifying theology as a virtue of the movement.

Using his principle of harmony of God, Torah, and Israel, Heschel, in his last address in Israel in 1972, took up the question of the hardening of Orthodoxy, which was already affecting the culture of the State and would continue to affect its politics as well, culminating in the tragic assassination of Prime Minister Rabin.

> The role of Torah which has developed among our people is one of the wonders of Jewish history and has no parallel among any other nation. The problem, however, is that many *lamdanim* [Talmud scholars] in our time are so drunk with the love of the Torah that they sometimes forget the love of the Creator and the love of the people. . . . Some extremists appear to prefer Torah to God. Yes, we are commanded to love Torah, but we are also told to love God. Today there are those whose love of Torah threatens to supplant their love of God. And the love of God means love of His creatures, even those who have strayed from the path of Torah, and surely cannot mean, Heaven forbid, hatred of one's fellow-Jews, not uncommon today. Alas, the spirit of Satmar [Rabbi Joel Teitelbaum, d.1979, known for his narrow zealotry] hovers over our rabbis, while Reb Levi Yitzhak of Berditchev [known for his love for all Israel] has been forgotten. The demand of the hour is renewal, purification, vitality, but the extremist establishment stands like a medieval castle. Their leaders are busy erecting new fences and walls, instead of building a house for people to live in. As a result, Judaism looks like a jail to the young, instead of a fountain of life and joy. . . .[43]

There is a tradition that the Besht declared, "I came to teach love of God, love of Israel, and love of Torah." Con-

sistent with Heschel's theory of harmony of the three principles, he suggested that the Besht consciously changed the accepted order, from God, Torah, and Israel, to God, *Israel*, and Torah, in order to stress primacy to the people over Torah. In this way the Baal Shem meant to counter the dangerous imbalance of the time, in which Torah was exalted at the expense of the degradation of the mass of simple Jews who were unlearned in Torah. For had it not been written that the Torah was created for the sake of Israel? "The test of love is in how one relates not to saints and scholars but to rascals," wrote Heschel. "The Baal Shem related lovingly to sinners who were not arrogant and kept his distance from scholars who were."[44]

Heschel anticipated the growing confrontation with the right in pointing to the limits of halakha alone. It is both too short and too shallow: too short horizontally, in that, without the perspective of aggada, halakha penetrates only a part of life, *all* of which is to be sanctified; and too shallow vertically, in that, without the dimension of aggada, even what halakha does penetrate is penetrated inadequately. Heschel once asked a class of students, "Is gelatin kosher?" This gave rise to a lively discussion that he permitted to proceed for several minutes. Then he stopped the discussion, noting that the vigor of their opinions reflected the seriousness with which they took the issue. "Now, tell me," he asked again, "is the hydrogen bomb kosher?"[45]

Finally, Heschel stressed two fundamental halakhic guidelines from the sources of Judaism that are critical to those who defend the center. First, Jewish law is not a matter of all or nothing. This rejects fanaticism. Second, only general principles—*klalim*—were revealed to Moses. This rejects fundamentalism.[46] "The surest way of misunderstanding revelation," he wrote, "is to take it literally. . . ."[47]

As with his criticism of the left, so in his treatment of the right, Heschel has provided us with a powerful constellation of ideas around which to carry forth the analysis. Those that I have considered here were:

The limits of halakha alone; responsibilities beyond the Law; morality and the Law; religious behaviorism; pan-halakhism; the mobility of the Law; the fallacy of fundamentalism; the danger of atomization; a theology of aggada; and the polarity of halakha and aggada.

Polarity

Heschel saw two dangers to our understanding of the law: *atomization* and *generalization*. By generalization he meant focusing upon abstract man—inwardness, subjectivity, faith, feeling, totality, without considering the concrete situation. By atomization he meant the reverse, focusing upon a single act, without considering the whole person, making it possible, for example, to admire one who is kosher although he is also a liar. Further, atomization meant separating the part from the whole, reducing Judaism to a system of ceremonies, forgetting that above all single acts stands the command to be a kingdom of priests and a holy people. Heschel argued against these two extremes not only for theoretical reasons—being a Jew was more than an idea to him—but also because of his concern that at this moment in Jewish history when the people-Israel, tottering and enfeebled from irreparable losses, might easily lose their footing on the solid ground of normative Judaism and topple into the pit of one side or the other. Precisely this happened in the dark ages of the past. Our situation, then, demands a reaffirmation of the center, a center he sometimes described as "the tension of polarity."

A "*polarity*," he wrote,

> lies at the very heart of Judaism, the polarity of ideas and events, of mitsvah and sin, of kavanah and deed, of regularity and spontaneity, of uniformity and individuality, of halacha and agada, of law and inwardness, of love and fear, of understanding and obedience, of joy and discipline, of the good and the evil drive, of time and eternity, of this world and the world to come, of revelation and response, of insight and information, of empathy and self-expression, of creed and faith, of the word and that which is beyond words, of man's quest

> for God and God in search of man. . . . There is no halacha without agada, and no agada without halacha. We must neither disparage the body, nor sacrifice the spirit. The body is the discipline, the pattern, the law; the spirit is inner devotion, spontaneity, freedom. The body without the spirit is a corpse; the spirit without the body is a ghost. Thus a mitsvah is both a discipline and an inspiration, an act of obedience and an experience of joy, a yoke and a prerogative. Our task is to learn how to maintain a harmony between the demands of halacha and the spirit of agada."[48]

Heschel's thought is a compelling argument for the vital center of Judaism. Mastering the broad range of Jewish thought and literature, he strove to restructure those parts of Judaism that, over the centuries, had taken on gruesome shapes. To use another metaphor: he sought to silence the cacophony of clashing sounds, the eerie clatter, the banging and clanging that the modern remnant of Israel had tragically come to express. He sought to repair the damaged instruments of Judaism, to find a new pitch to which all might be tuned. He strove to allow all the agents of Jewish thought and life to play harmoniously and melodiously under the direction of the Master, in contrast to those companies whose music is shrill, where lines are drawn and knives sharpened.

Conservative Judaism

Within the spectrum of denominations and institutions in modern Judaism, the Conservative movement and the Jewish Theological Seminary have always seen themselves as the Vital Center. Early leaders of the movement, such as Zechariah Frankel and Solomon Schechter, strove to ground that center, ideologically and academically, in the conviction that it represented the most authentic interpretation of Judaism and could best transmit the legacy of the past to the new Jewish world of the emancipated West. They sought to incorporate both the "left's" insights into modern thought and research, and the "right's" loyalty to the tradition, while at

the same time refusing to succumb to the embrace of the homogeneous modernity of the one or the rigid fundamentalism of the other.

In the 1930s the eminent historian Salo Baron concluded his first, and some believe his finest, survey of Jewish history by focusing on the contemporary scene. After presenting a critical estimate of Reform, he argued that the Neo-Orthodoxy of Samson Raphael Hirsch, although claiming to save Judaism from the devastation of the reformers, in reality had much in common with them. For Neo-Orthodoxy, Baron argued, "accepted the premise of Reform that Judaism can be viewed as a dogmatic religion. Without being aware of it, Neo-Orthodoxy constituted in itself an equally fundamental deviation from historical Judaism. . . . No less than Reform, it abandoned Judaism's self-rejuvenating historical dynamism." Turning to the third alternative, Baron concluded that "the 'positive historical' Judaism of Zechariah Frankel and Michael Sachs, and the 'Conservative' Judaism of America, have been much truer to the spirit of traditional Judaism."[49]

However, what was true for the formative period of the movement, say from 1880 to 1920, was less so in the later years. Indeed, if viewed over the past half-century, it might appear that what Conservative Judaism negates has been clearer than what it affirms. This is the case, I suggest, because the process of formulating a philosophy for Conservative Judaism has been hampered by what, in time, came to be known as "Unity in Diversity."[50] While proposing to strengthen the movement by embracing all the various points of view, it became apparent that, with the exit of both the left-wing Reconstructionists and the right-wing Traditionalists into full-blown movements of their own, including rabbinical schools, congregational bodies, etc., that "unity in diversity" failed to achieve even this.[51] What it did achieve, however, was to halt that creative ideological process which had proved so fruitful in the movements's formative years and so promising for its future, and to turn Conservative Judaism into an amorphous umbrella under which even the

most disparate views could find shelter. Thus the critical examination of texts and the exploration of the history of ideas or the philosophies (plural) of religion substituted for a systematic theology.[52]

The consequences have been unfortunate. For without such an ideology, Conservative Judaism has suffered a precarious anomalousness. The effect of "unity in diversity" has been to weaken Conservative Judaism's ability to fulfill the central role for which it was first established. Lacking clear parameters, the movement has, of late, been swept by the winds of gender and myth and threatened by the storm of political correctness.[53] Some yearn for a return to the time when devotion to the text was uppermost and theology was left to the individual student. In this time of historical upheaval when the virtue of moderation has fallen into disfavor, and extremism is on the rise among Jews as well as others, the role of the vital center takes on critical importance.

For those who wish to take up the task once again, Rabbi Abraham Joshua Heschel should be seen as the seminal figure for developing an ideology of the vital center of Judaism. Heschel's academic mastery of the diverse elements within Judaism and general culture, as well as his exposure to the piety and learning of Eastern Europe, the philosophy and method of Western Europe, and the democratic social concern of America, prepared him to become an interdisciplinary scholar who could view Judaism from the broadest perspective. Central to his approach and a key concept that runs through his writings is "polarity," or, better, the "tension of polarity." It is this approach as it applies to Jewish Law that he used to defend the centrist position against both the left and the right.

Notes

1. A letter of December 27, 1972, from Rabbi Selig Auerbach to the Seminary chancellor on the death of Heschel reads: "I believe I have known Rabbi Heschel—zekher zaddik livrakha—longer and perhaps even better than most people at our Seminary. I met him first in Berlin when I was still a student at the Hildesheimer Rabbinerseminar, almost immediately when he came to Berlin. He had already [received] semikha [ordination]. . . . He gathered many students around him, mainly from the Rabbinerseminar [orthodox] and the Hochschule [liberal], and we knew we could come to him with our problems at all hours of the day and night. The Shabbat afternoons at his apartment corner Oranienburger and Artillerie Strasse will remain unforgettable to me. . . . Although his way, for reasons unknown to me, led him to the Hochschule, he always remained on most friendly terms with the faculty and students of our Rabbinerseminar. My late teacher, Dr. Wohlgemuth, always spoke very highly of Dr. Heschel . . ." (Heschel Archives, JTS).

In his choice of schools, perhaps Heschel felt that the Orthodox seminary had little to teach him, while he could explore Bible criticism and modern Jewish thought more freely at the Liberal school, where he remained fully observant.

2. *God in Search of Man*, p. 342.
3. *Man's Quest for God*, pp. 94–96, 99.
4. Ibid., p. 100, quoting p. 270 of *Man Is Not Alone*.
5. Notes of classes and personal discussions.
6. *Man's Quest for God*, p. 109.
7. Ibid., pp. 110–11, 110.
8. Ibid., p. 111.
9. Ibid., p. 106.
10. In the question-and-answer period after Heschel's address to the HUC students we find his discussion of biblical categories of thought.

"Question: You mentioned the categories that form the Bible which we have missed, because we have interpreted the Bible in the light of other intellectual traditions. What are some of these categories?

"Answer: I have tried to develop that idea in a small book . . . about the Sabbath in which I tried to prove that biblical thinking is time-oriented rather than space-oriented. Or in a study about the prophets . . . I developed a number of ideas that are at home in the Bible but not at home, let us say, in Greek thinking.

"The problem of anthropomorphism arose in a misunderstanding of biblical thinking. To the Bible the idea of God having a

pathos, that is, God standing in an emotional relationship to the world, is profoundly significant, because it presupposes a different metaphysics, from, let us say, the metaphysics of Parmenides. Consequently, later, in the encounter of Greek philosophy with the Bible, a tension arose. There are different presuppositions. For example, the presence of God in the world. Plato's philosophy begins without God. Since that time philosophy of religion begins exactly like Plato, with the givenness of the world but with the non-givenness of God. That is the classic position. Now, it is quite different in the Bible. In biblical tradition it is inconceivable to think of the world without believing in God. It is just inconceivable. Western man has been trained in a way of thinking that takes this world for granted, as a matter of fact—as a matter of *fact*; and we are not amazed, nor do we wonder at it. And then we try to bring in God. That is a very difficult matter. It is the other way around in the Bible.

"The Bible gives me many categories. The categories developed in my book *Man Is Not Alone* are taken from biblical thinking, and in a forthcoming book [*God in Search of Man*] I will show that these ideas are a manifestation of biblical categories. For example, the problem of amazement in regard to nature. Biblical man says, the heaven declares the glory of God. The Greek mind does not understand this. In the mythology of other nations, while it is quite conceivable that God should become a star, that the star should sing to God would be an absurdity. But in the Bible that star sings to God. The whole of nature utters praise to God. How strange! Was the biblical man mad? Or perhaps he sensed something that we cannot sense because we are using different categories" (Unpublished address to HUC students in Cincinnati, after CCAR address; tape in American Jewish Archives).

11. Michael Satlow, "Jewish Knowing: Monism and Its Ramifications," *Judaism*, 45 (1996), 483–89.
12. *God in Search of Man*, p. 343.
13. Ibid., pp. 343, 344–45.
14. *Man's Quest for God*, p. 112.
15. *The Earth Is the Lord's*, pp. 61–63.
16. See Dresner, *The Zaddik*.
17. Fortunately, the session was recorded.
18. Note the distinction made between halakha and halakhiyut. While one may change or neglect this or that law, the principle of Jewish Law must not be abandoned.

19. The first two letters of the Hebrew word for Jew, *Yehudi*, form YH, part of YHVH, the ineffable name of God. Heschel's book of poetry was named *Der Shem Hameforash: Mentsh* (Man: The Ineffable Name of God).
20. Martin I. Lockshin, "Orthodox 'Intolerance': A Blessing?" *Sh'ma*, November 14, 1986.
21. Another factor in the rise of the extremism of the right may be the fact that it was Hungarian rather than Polish and Lithuanian Jewry who survived.
22. TB Hagigah 15a.
23. See Alan Yuter, "Positivist Rhetoric and Its Functions in Haredi Orthodoxy," *Jewish Political Studies Review*, 8 (1996), 127–88, and the literature quoted there.
24. For a review of the literature on whether Christians are to be considered idolaters, see the late nineteenth-century responsum of Rabbi Marcus Horovitz, the chief rabbi of Frankfurt, to the question, "Is it permissible for a Jew to contribute to the building of a church?" (*Mateh Levi* [Jerusalem: Jerusalem Academy Publications, 1979], Part 2, #28, pp. 80–85).
25. Yuter, "Positivist Rhetoric and Its Functions in Haredi Orthodoxy," 150.

A glaring example of how radical the change has been in the process of Orthodoxy's delegitimization of the Conservative Movement, now lumped together with Reform to form "Liberal Judaism," is the fact that when the important chair in Talmud became available in the 1930s with an eye on the eventual retirement of Rabbi Louis Ginzberg, the three most important candidates who applied were, according to Wolfe Kelman, J. B. Soloveitchik, Samuel Belkin, and Saul Lieberman.

26. "Hidushei Torah" in *Sha'arei Torah, kovetz hodshi* (Warsaw), 13, No. 1, (1922), "Bet Midrash," Part 1, no. 4, Sect. 78; ibid., no. 2 (1923), "Bet Midrash," part 1, No. 6, Sect. 108.
27. *God in Search of Man*, p. 343.
28. Ibid., p. 326.
29. Saul Lieberman, the renowned talmudist at the Jewish Theological Seminary, who typified this view, referred to "*pit-pat* (Hebrew for 'prattle' or 'babel') theology." In once introducing the leading authority on the history and meaning of Jewish mysticism, Gershom Scholem, who had been brought from Israel for a major lecture at the Seminary, Lieberman said the following: "Mysticism is nonsense. But the history of mysticism—that is another matter!"

30. The non-legal portions of the Talmud: narrative, exegesis, legend, or lore.

31. *God in Search of Man*, p. 339.

32. TB Berakhot 8a.

33. *God in Search of Man*, p. 331.

34. *The Insecurity of Freedom*, p. 198.

35. *God in Search of Man*, p. 328.

36. Ibid.

37. Jacob Neusner, review of Heschel's *Theology of Ancient Judaism*, *Conservative Judaism*, 20, No. 3 (1966), 67–69. For a different view from Heschel's, see "Thought as Reflected in the Halakhah" by Louis Ginzberg in his *Students, Scholars and Saints* (Philadelphia: Jewish Publication Society, 1928), esp. pp. 114–18. Ginzberg finds the "authoritative character" of Judaism in the halakha. The "Haggadah," he argues, consists of "opinions and views uttered by Jewish sages for the most part on the spur of the moment." To one who would attempt to create a theology from the aggada, Ginzberg would respond, "You are utterly wrong in your attempts to stamp as an expression of the Jewish soul what is only an individual opinion or a transitory fancy. It is only in the Halakhah that we find the mind and character of the Jewish people exactly and adequately expressed. . . . Religion is law for the Jews" (pp. 115–18).

38. *God in Search of Man*, pp. 320–22.

39. Ibid., p. 326.

40. Ibid., pp. 323–24.

41. Ibid., pp. 274 (emphasis added), 275, 276. TB Berakhot 54a. Levi Isaac ben Meir, *Kedushat Levi ha-halem* (Jerusalem: Ha-Mosad le-hotsa'at sifre musar va Hasidut, 1964), pp. 306–307, likutim.

42. For the sin of sadness in Hasidism, see Jacob Joseph of Polonnoye, *Ben Porat Yosef* (Koretz, 1781) 64a, and Samuel H. Dresner, "Hasidism and Its Opponents," in R. Jospe, *Great Schisms in Jewish History* (New York: Ktav, 1984), pp. 128–38, esp. note 8.

43. Abraham J. Heschel, "The Jewish People and the Zionist Movement" (Hebrew), World Zionist Congress, Jerusalem, 1972, pp. 55–60.

44. *A Passion for Truth*, pp. 65, 66.

45. In the following incident one can discern the subtle relationship Heschel felt between halakha and aggada. Jewish Law or halakha appears to respond to the demands of modernity in three ways: Orthodoxy, more or less, ignores it and maintains the halakha unchanged; Reform, more or less, succumbs to the challenge at the expense of the Law; Conservativism, struggling to preserve what they can, is torn in two directions. One of the most unwise decisions of their Committee on Law and Standards was, under certain circumstances, to permit riding to the synagogue on the Sabbath. I recall Heschel's sarcastic response.

"Don't think I don't appreciate the kind intentions of the members of the law committee," he told a few of us. "They want to make it easier for me to get to the synagogue on Shabbat. After all, it is quite a long walk, especially in bad weather, and they have pity on me. But, you know, I really don't mind the walk. It is good exercise, and usually there are others to walk and chat with. Furthermore, we are a small people and living within walking distance to the synagogue has always helped to maintain a Jewish community. So, I say to the law committee, thank you, but no thanks.

"However, if the law committee really wants to help me, I could make a suggestion to them. I have always been overwhelmed by the commandment 'You shall love the Lord your God with all your heart. . . .' That obligation is a terrible burden, an impossible responsibility. Now, if the law committee wants to ease that ordeal, let them emend that law to: 'You shall love the Lord your God with *half* your heart. . . .'"!

46. *God in Search of Man*, p. 302.

47. Ibid., p. 178.

48. Ibid., p. 341.

49. Salo Baron, *A Social and Religious History of the Jews* (New York: Columbia University Press, 1937), vol. 2, pp. 257–58.

50. M. M. Kaplan, "Unity in Diversity" (New York, United Synagogue of America, 1947). Cf. Samuel H. Dresner, "Rabbi," *Conservative Judaism*, 45, No. 2 (1993), 8–11.

51. A further sign of destabilization was the 1995 declaration of the University of Judaism, the former West Coast branch of the Jewish Theological Seminary, as an independent institution with its own rabbinical school. Although it still maintains ties with the mother institution, it is too early to determine to what extent the more liberal atmosphere of the West Coast will affect the new school. Though this break-off differs from the former two in being less a matter of philosophy than of funding, it nevertheless reflects the fragmentation of the movement.

52. Robert Gordis's *Conservative Judaism* (1945), Mordecai

Waxman's *Tradition and Change* (1949), and even *Emet Ve-Emunah: A Statement of Principles of Conservative Judaism* (1988) all suffer from an eclecticism and an historicism—so and so said such and such—that serve as a substitute from the stated goal of formulating "a statement of principles of Conservative Judaism." *Emet Ve-Emunah* is a case in point. While both the "Pittsburgh" and the "Columbus" platforms of the Reform Movement of the nineteenth and twentieth centuries were clear and concise statements of Reform Judaism, the pronouncement of the Conservatives is anything but. To guarantee inclusivity, no fewer than three cumbersome forewords, representing the academy, the congregational rabbis, and the laymen, followed by a formal introduction by the chairman, precede and overwhelm the statement itself. Further, the Seminary's own leading theologians, Fritz Rothschild and Seymour Siegel, were not members of the commission that drew up the document. (Though Siegel is listed, he did not serve.)

Instead of producing a clear, brief document of principles as Reform had done, this statement presents too often a diffuse collection of differing views. "For *many Conservative Jews*, Halakhah is indispensable. . . ." "It is what *the Jewish community* views God's will to be. . . ." "The divine element of Jewish law is understood *in various ways* within the Conservative community. . . ." "*Some*" (Conservative Jews) accept a literal view of revelation; "*others*" do not. "*Our ancestors believed* themselves chosen to be a kingdom of priests and a holy nation," but "even *those who do not* accept the belief in 'the chosen people' . . ." Further, we are told of "revolutionary messianists," and "messianic gradualists"; and that "*for many of us*, belief in God means . . ." but that, on the other hand, "*some* view the reality of God differently" (emphasis added). Readers, however, are less interested in what Conservative "Jews" believe than in what Conservative "Judaism" teaches. They know that Conservative Jews hold a variety of beliefs, as indeed do Orthodox and Reform Jews. What has not been made clear is what Conservative *Judaism* has to say about God, revelation, halakha and the chosen people. This is difficult to discern from this document, and leaves searching Conservative Jews in the same state of confusion they were in was before they examined this booklet of "principles." In short, the statement contains neither the clarity of Will Herberg nor the lyric profundity of Abraham Heschel, a terse

summary of either or both would have served their purposes better.

53. The movement's most recent evidence of political correctness has been a new "gender-sensitive" prayer book, a revised rabbinic manual with a blessing for abortion, and a repudiation of Judaism's family-centered warnings against homosexuality.