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Scholars and Friends: Rabbi Jehiel Jacob Weinberg and Professor Samuel Atlas

Any history of the Torah u-Madda philosophy must include R. Jehiel Jacob Weinberg (1884-1966). As one of the outstanding Talmudists and *poskim* of this century, who was equally at home in modern Jewish scholarship as in traditional Torah learning, he is almost unique. Not so well known is that R. Weinberg also had one of the most extensive and wide-ranging correspondences of any *gadol be-Yisrael*. Although many of these letters are of lasting value, particularly significant is R. Weinberg's correspondence with Professor Samuel Atlas, probably his closest friend.

R. Weinberg first met Atlas in the early 1920's in Lithuania, and from that time on they became very close. Before World War II they also corresponded, but these letters were destroyed in the German bombing of London.¹ However, when Atlas published *Hiddushei ha-Rabad on Bava Kamma* (London, 1940), he was able to include Weinberg's many important notes. What makes the Weinberg-Atlas correspondence, and friendship, so significant is that Atlas was a professor at the Reform Hebrew Union College. This fact is enough to raise one's attention, for it is very unusual for a *gadol* to even be friendly—not to mention on intimate terms—with instructors at such institutions. When one realizes that it was only with Atlas that R. Weinberg felt comfortable in revealing his innermost thoughts, feelings, and frustrations,² it becomes apparent that we are confronted with a relationship the likes of which is unknown in the history of *gedolei Yisrael*.

While R. Weinberg had a completely negative view of the Reform movement, believing it to be akin to Christianity, his attitude towards individual Reform rabbis was very different. He recognized that many of these rabbis were positively serving the Jewish community and he treated them with respect. Significantly, unlike many of his colleagues, he was not philosophically opposed to his students becoming members of the *Allgemeiner Rabbinerverband* which comprised rabbis of all denominations and was the pre-war German equivalent of the current New York Board of Rabbis.³

There is a great deal which can be said about these letters, and I have dealt with them in my dissertation⁴ and forthcoming biography of R. Weinberg. Here I present in translation from the Hebrew significant selections from these letters, which give us a glimpse into the inner thoughts of this modern Orthodox sage. Among the many interesting things readers will notice, two are of particular significance. The first is R. Weinberg's great pessimism about the character and fate of the Jewish people. This aspect of R. Weinberg's personality is found throughout his correspondence and hints to it are also forthcoming in his public writings. The other interesting aspect, which because of its sensitive nature is not found in his letters to other scholars, and probably could never have been expressed to most of his Orthodox colleagues, is Weinberg's thoughts about areas of Jewish law which discriminate against Gentiles. In his great honesty, he could not deny that these laws troubled him to his core, but because of his great loyalty to tradition, he could not reject them. Herein lay the tension, which was particularly wrenching being that it was not merely a theoretical concern since R. Weinberg had a very close friendship with a non-Jew, his teacher Paul Kahle. Again, it hardly needs to be said that such a close friendship with a non-Jew is also very unusual in the history of *gedolei Yisrael*. In this regard, it is worth quoting a passage from his letter to Kahle after the death of the latter's wife, as it shows R. Weinberg's sensitivity to Gentile piety.

Whenever I had the chance to meet with her, I was strongly impressed by her deep religious devotion, her calm nature and her solid judgment—the fundamental qualities of a strong, great woman. The death of this noble, pious Christian woman, besides being a tragedy for her own family, has a historic resonance as well. She was one of the few German women, perhaps the only one, who found the courage to defy the criminal regime where it counted, committing herself to the protection of the innocent victims of persecution. In the Israeli newspapers her heroic deeds have been recounted and praised, and I am certain that many among us cherish grateful memories of her.⁵

The Weinberg-Atlas correspondence is stored in a restricted collection in the Jewish Theological Seminary of America, and I thank the library of the Seminary and Mrs. Samuel Atlas for giving me permission to make use of this collection.

December 24, 1946

It is impossible for me to describe in words my great joy at receiving your letter. It is the first sign of life which I received from you after many years of separation. In the meantime, I was totally removed from life and viewed myself as having departed this world. I did not have even a small hope that I would rise up from the grave in which I was buried. And then came your wonderful letter, a voice from the world before the destruction, bringing joy to my frozen heart. It is as if I'm dreaming. I read and reread your letter and am coming to believe that, in truth, not all life has been destroyed. A remnant still survives. Perhaps I shall once again be part of the living.

My family, my sisters and their families and everything they had, my brothers and their families, my other relatives, close and distant, have been totally destroyed. Only one sister remains in Hartford with her husband and children. They were able to escape from the land of blood [Germany] before the war. I also have some relatives in America, relatives who went their own ways decades before the war and with whom I have never had any relationship. They are now writing to me, trying to establish a connection. It appears that this is due to a feeling of pity on their behalf, and because of this their letters are not able to provide me with even a drop of comfort.

March 25, 1947

With great joy I received your book. Your edition of the Rabad [on *Bava Kamma*; London, 1940] makes a great impression. Your *hid-dushim* and notes excel in their clarity and profundity. It must have made a wonderful impression in the world. I thank you for including my notes and thereby attaching my name to the work of one of the great *Rishonim*.⁶ . . . Regarding my trip to America, it has been delayed by my sickness. After Passover I will begin to prepare for it. In truth, I hesitate greatly. I fear this crass and tumultuous land. I feel loathing when I browse through newspapers and magazines and encounter the exaggerations and the vociferous declarations. In Erez Yisrael my students and friends press me to go there. They promise me good possibilities, but I see that the Land of Israel is becoming a Hebrew version of America. Also there "advertising" rules. "*Geonim*" sprout up there as grass in the field. Those who were emissaries of the yeshivot and unimportant *mashgihim* have overnight become

outstanding *geonim*. The partisan extremism also poisons the atmosphere. Whoever isn't a fighting zealot must of necessity be a flatterer and crawl at the feet of the powerful in order to survive. The filth of the *galut* is becoming more powerful, and there is no escape for those who are refined. This is the emotional reason behind my hesitations. Here I am removed from all the fraudulence.

August 4, 1948

I have nothing against printing my article in the jubilee volume for Rav Za'ir [Chaim Tchernowitz]. We are all obligated in his honor. He was the first, *in Russia*, to develop critical investigation of the Talmud and *poskim*. He brought scientific understanding of this ancient literature to those in the field of Hebrew law, who [previously] knew only "songs and stories" or [engaged in] poor journalism which lacked all talent. Even though I disagree with him in many basic issues, and a number of points in his books deserve criticism, I don't shut my eyes before his great importance as a sage and writer in Israel. Also, even when he differs with accepted views, he does so with respect, awe, and a pure and faithful heart. . . .

You must have studied in depth my article which is in your possession. The article sheds light not only on the historical conditions in the days of the Mishnah, but is an in-depth study of the Talmud's perplexities and illustrates a proper mode of research. Talmudists from the old school and so-called modern Talmudists of the sort at the Hebrew University and others of this variety will not understand this article. Very few will be able to appreciate it properly, and for these few, in which you my friend are included, I write and work. . . .

I saw a few "diplomats" here during the time of the world congress.⁷ They cry and express regret over the troubles of our people, and enjoy all that is good in first-rate hotels. Their faces are like those of pig-breeders.⁸ We are guiltier than any other people!⁹ Have you read my article on Herzl?¹⁰ In it I also speak of the strength and holiness of the warriors of Israel in the land of Israel—my only comfort.

August 22, 1948

Your article "Ha'aramah Mishpatit,"¹¹ made an excellent impression. It is a combination of profound logic and sharp criticism, and a good illustration that not all who wish to adopt the title "talmudic researcher" can do so. A scientific-critical sense is not enough. Profound traditional talmudic learning is an essential prerequisite for critical research.

September 20, 1948

During my researches I used . . . 's book on the Mishnah and saw that most of it is fraudulent and full of plagiarisms (heaven is between us!¹²). I was shocked to see how he craftily uses the works of others and puts a slightly different spin on the material he took from Frankel, I. H. Weiss, Halevy and Hoffmann. He acts as if he made new discoveries, and the readers don't sense it.

In general, we are afflicted with a despicable charlatanism which is not found among any other peoples. When I see this I become depressed and ask myself: "For whom am I working?" . . . Furthermore, in the new Hebrew state they give out high positions only to friends and people who know how to flatter properly. . . . The Jewish world has always acted and will continue to act in this fashion.

You are in doubt as to whether Rav Za'ir is best described as a writer or a scholar. One can make from him twenty professors for the Hebrew University. The prattler [Joseph] Klausner did not reach his ankles and the other "sages," who are they? It is true that he did not analyze the sources with a critical-philological method, but no one compares to him when it comes to describing events and phenomena in a historical-philosophical spirit. The nations of the world know how to distinguish between different fields of study. But we, a poor and weak nation, request original genius from everyone. There is also the matter of the abhorrent belittling which is common among us. [Jacob] Klatzkin, of blessed memory, belittled all our writers and philosophers, while others regarded him as insignificant. Also, everyone is jealous of the other. In truth, everyone has some measure of achievement, but they must be described in a fashion which suits them, rather than characterizing them as something they are not.

January 14, 1954

Dr. Heschel surprised me with a letter in which he mentions his "sin" [of not writing] and apologizes. . . . He also gave me his articles and pamphlets such as *Pikuah Nesbamah* [New York, 1949], "R. Gershon Kotover,"¹³ "Ha-He'emin ha-Rambam she-Zakhah li-Nevuah,"¹⁴ and others. He certainly has a wonderful writing style and a strong poetic feeling, but I doubt that this is "philosophy." He appears to follow in Buber's footsteps and embellishes his writing with a fancy style. I question whether the *Hebrew Union College Annual* should have printed a large study on R. Gershon Kotover, with a large number of footnotes and other scholarly apparatuses. Who was R. Gershon Kotover? The brother in law of the Baal Shem Tov,

and this, and no more, is his only significance. The stories about him are apocryphal, of the same genre as the stories in *Shivhei ha-Besht*. I am concerned that Dr. Heschel is wasting his time and strength in "scientific study," producing a detailed and boring study of the life of R. Gershon Kotover. People make use of the scholarly approach for insignificant matters.

March 7, 1956

In general, I see that you judge others from a subjective standpoint. You are part of two worlds. You are a philosopher and a talmudic researcher, something not everyone is able to achieve. L. [Saul Lieberman] is a commentator in accordance with the simple sense, and he has a feel for proper interpretation. He knows how to make use of the entire talmudic literature, the rabbinic and scientific, in his commentary. He does not have a sweep of vision nor does he consider all the problems in one survey. He confines himself to establishing texts and exact interpretation. Such a confining task is good for him and the world, for through it he contributes greatly with his many books. Professor Tchernowitz of blessed memory was—or wanted to be—a philosophical historian. He failed because of his false imaginings which detracted from his scholarly method.

I strongly rejected the offers from the new university [Bar Ilan] and the new rabbinical seminary.¹⁵ At my age I cannot involve myself in disputes, and the *rashei yeshivah*, with the Rabbi of Brisk [R. Isaac Ze'ev Soloveitchik] at their head, have begun sending out letters of denunciation against this [proposed] seminary.¹⁶ Furthermore, the decisive power there will not be me but the heads of the [Mizrachi] party.

May 5, 1957

I have nothing to add to what I have previously written [*Seridei Esh*, Vol. 2, 198-99], and you needlessly attempted to explain your words. I did not express disagreement with your logic, which is very good, but only stated that you cannot insert it as an "explanation"—not in the Mishnah, the Jerusalem Talmud, or Maimonides. You are not a teacher at one of the yeshivot and do not need to show your sharpness. Rather, you should explain in a scientific fashion and in accordance with the simple meaning.

August 1, 1957

I received your letter and am sorry that I will not have the further opportunity to spend time with you and enjoy the company of you and your esteemed wife. I lack people who are close to my heart and with whom I can speak as I wish. Here I am totally alone. Even

though there are many people who listen to my words, and are full of praise for me, they are in my eyes like the buzzing of flies. A decree of spiritual and emotional exile has been placed on me. I am afraid to go to the Land of Israel. There are different worlds there, which reject and hate one another. I am part of two worlds, and which one should I choose when I go there? In the end, I will have to remain in solitude. Therefore, it is better for me to be alone in an empty desert than in a noisy and raucous atmosphere.

It is true that work causes one to forget about the world, but it also removes one from life. Our Sages have said that the words of Torah are not firmly held except by one who kills himself for it [*Berakhot* 63b]. The meaning [of this passage] is "death" as related to "natural life." "Natural life" means to enjoy the beauty of nature, "how beautiful is this tree etc" [*Avot* 3:9]. Our Sages said, "companionship or death" [*Ta'anit* 23a]. What is companionship? To engage in sophistry with insignificant people or with those who are like wild animals? Moral, enlightened people and intellectuals with clear insight are not in my company. I am full of hopelessness and pain at the loss of life, and there is no one with whom I can even share my pain.

*September, 19, 1957*¹⁷

We continue to be orphaned, our best friends have passed away. . . I have never heard of Professor Israel Bettan, but every great man who dies leaves a vacuum. Who can replace Dr. [Leo] Baeck? When they are alive we criticize them and search for faults, but when they die we feel what we have lost.

I am very distressed at the great fanaticism which has increased in strength in the Orthodox camp. Read the last issue of *Ha-Ma'or* [Tamuz, 5717] and see the blindness which is afflicting it [i.e., the Orthodox]. The Satmar rebbe forbids studying Hebrew and others say that the formation of the Hebrew state was a sin which cannot be repented for. In *She'arim* [30 Av, 5717, p. 2], one writer protested that R. Saul Lieberman was given the Rav Kook Prize, due to the fact that he works with the Reformers. See the article; you will enjoy it. On the one hand, they proclaim every "rebbe," whom everyone knows is not outstanding in Torah knowledge, as *gaon* and *rosh kol benei ha-golah*. For the members of Agudah, every unimportant rabbi who joins them is considered a great *gaon*.

In *She'arim*, they proclaimed a ban against participation in the Congress for Jewish Studies in Jerusalem.¹⁸ On the other hand, they argued, why didn't they [the organizers] invite the *geonim* in Israel and the Diaspora, who know so much more than all the [academic] scholars of Israel and the Diaspora? They made this argument to

Professor [Ben Zion] Dinur, and he responded that the rabbis are not involved with academic studies of Judaism. They poured ignorant scorn on this answer. I see that in the end there will be a split in the body of the nation. They also invited me to come to the Congress and sent me an airplane ticket, but due to my weak health I was prevented from going. However, in Jerusalem it was publicized that I intended to come, and I was flooded with letters strongly urging me not to come and participate in a gathering of deniers and heretics. I did not pay attention to these warnings and sent a letter of blessing and apology that I could not come. This letter was read in public¹⁹. . . .

The spiritual state in all circles brings sadness and hopelessness. I have bitter thoughts about the very existence of the nation and its hopes for the future. The entire world hates us. We assume that this hatred is due to the wickedness of the nations, and no one stops to think that perhaps we also bear some guilt. We regard all the nations as similar to an ass. It is forbidden to save a Gentile,²⁰ it is forbidden to offer him free medical treatment,²¹ it is forbidden to violate the Sabbath to save his life,²² his sexual intercourse does not render a woman forbidden to her husband according to R. Tam²³ because *their issue is like the issue of horses*.²⁴ Can the nations resign themselves to such a deprivation of rights? It is permitted to deceive a Gentile and cancel his debt²⁵ as well as forbidden to return his lost object!²⁶ What can we do? Can we uproot our Torah teaching with apologetic formulae or clever deceptions. God knows that I have written this with the blood of my heart, the blood of my soul.²⁷

December 19, 1958

My responsum [*Seridei Esh*, Vol. 3, #25] concerning women whose husbands apostatize was "daring." I was worried that the *mahmirim*, who like to wear the crown of "righteousness," would attack me, but many of the leading sages agreed with me. . . . Last summer my sister from Hartford with her two sons visited me. None of the sons know anything about Judaism. They are Americans through and through, even though they regard themselves as good Jews. One of them said to me seriously, "God doesn't mind what one puts into his stomach. The important thing is the heart, and the Jew, as with all people, has to be a decent man who involves himself in making the world a better place." I would be very grateful if you could invite my nephew, who is now at the university in New York, to your house, so that he could hear from you words of wisdom about Judaism and its place in the world of the spirit.

October 16, 1959

Dr. Segal from New York came here and brought regards from you. He told me that you and your household are well. I visited this Liberal rabbi in his hotel and was thrilled to see that he is a wonderful man, honest in heart and mouth. I have already quipped before the men who surround me that this Liberal rabbi causes a "*hillul Hashem*," because in him we see that one can be an upstanding and noble man, full of the spirit of love for Israel, its Torah, and its language, even if one does not belong to the community of zealous Hasidim and is not punctilious about laws and customs. Yet with those fervent zealots we see the opposite.

February 24, 1960

Your letter made me very happy. I always read your letters with special enjoyment since they are invariably full of wisdom and understanding, my only pleasure in life. Here I am completely isolated. I have "admirers," as it were, but no one with whom I can have even an insignificant, non-boring conversation. There is no one to look after me and my needs. Thank God I have more [money] than I need, but there is no one to look after me and make use of this money on my behalf. The one thing that keeps me going is that people write to me from all over the world. Even the rabbis in America present me with their questions, and I am busy writing responsa. This is a difficult task, but one which causes me to forget my loneliness and overlook my feelings of despair and doubt.

I read the papers which arrive from Israel and America and see the fraudulence, hypocrisy and flattery which fills our world. For example . . . certainly was talented and had a great memory, but his . . . behavior was disgusting. Yet the writer Agnon tore his garment at the open grave, crying loudly, and the writer [Barukh] Kurzweil wrote about him that his "righteousness" compared to the Hafez Hayyim of blessed memory and his brilliance to the Vilna Gaon. In Israel flattery is used in an exaggerated and ugly way. Concerning the rabbi of Pressburg [R. Akiva Sofer] of blessed memory, the Hungarians wrote, "*Rosh kol benei ha-golah*, as one of the early geonim, holy of holies etc. etc." Why all this?

On the other hand, they demean all who are not in their group in a murderous fashion. In *Ha-Ma'or*, which appears in New York, they wrote that Dr. [Simon] Federbush and the military chaplain, the *gaon* R. Shlomo Goren, are heretics, sinners who cause others to sin. I wrote to the editor asking where he found permission for the sins of *lashon ha-*

ra, public embarrassment, and libel, and what did he reply? The Torah did not cover up the sins of Korah and King David cursed his enemies.

And now to the "sages of Jerusalem." I regard Professor [Efraim] Urbach as a very honorable man.²⁸ He truly wages the war for ethical standards in the field of academia. What did . . . do?—pour unspeakable abuse on him in *Sinai*.²⁹ Did you read . . . 's article? Ears have never before heard such degrading talk. When I read his article I began to think that if he met him [Urbach] at an inn where no one could see anything, he would literally kill him. This article is literally murder. . . . The editorial board of *Sinai* were partners in this despicable act. Phenomena such as this cause me great pain. I saw Dr. Segal from New York, who is a Reform rabbi, *kivyakbol*, and he is full of grace, etiquette, simplicity and love of Israel and Judaism. But the others just use Judaism for their despicable desires. We are guiltier than any other people!³⁰ I have never seen among the wise men of the nations such unethical ones. . . .

From Jerusalem they sent me a work entitled *Ha-Torah ve-ha-Medinah*³¹ by A. Gitlin. In it the author proves that the very existence of the State is in opposition to our holy Torah, and the revival of Hebrew is a desecration of our holy tongue. He brings a proof. When one asks in Hebrew "how are you," the reply is "very good." However, when one asks in Yiddish the reply is "blessed be God." Changing the character of *lashon ha-kodesh* to Hebrew, he continues, is an attempt to create a substitute for those who are desirous of some "spiritual content" in order to fill the vacuum in their heart which is due to their forsaking the Torah. Do the Catholic extremists even have this type of fanaticism?! My heart shrinks with pain and I must stop. . . .

I would recommend to Rabbi Soloveitchik not to take the position [of chief rabbi of Israel] if he wishes a long life and spiritual comfort. They will embitter his life as they embittered the life of Rabbi Herzog. What is R. Reuven Trop doing? Do you know about the great friendship between me and his father [R. Naftali Trop], the *gaon* of blessed memory? True love!

March 2, 1961

I am sorry that your student, Dr. [Julius] Kravetz, did not find me at home. Your student [Jack] Bemporad visited me with his wife and I enjoyed speaking to them. I don't deny that people of this sort are more beloved to me than those who are akin to a "donkey laden with books,"³² yet whose heads are empty and hearts desolate, and who are as crafty as foxes. Yet, meeting people such as this raises grief and sorrow, doubt and despair. I ask, where is the ethical combination of Torah and *mizvot*?

You mentioned . . . of blessed memory. I knew him well. For a time we were great friends. Afterwards I separated from him. I could not bear his cunning. Even his so called scientific works were full of this cunning, by which he covered up his plagiarisms. You will find hints to this in my *Mehkarim ba-Talmud*. However, I judge him favorably. It seems that this cunning is a national characteristic of ours, and this causes the nations of the world to hate us. I have deep thoughts concerning this but am afraid to express them orally, all the more so to put them into writing.

I am now reading a small book entitled. . . . It arouses in me spiritual revulsion. You must read it and see if Martin Buber and Agnon, the preeminent writer, as it were, and many other sages and writers are correct in greatly praising these rabbis as outstanding religious philosophers. We have innumerable *geonim*. Every *meshulah* is a *gaon* and *zaddik*, and everyone with an imagination who knows how to express his thoughts in a literary manner is a philosopher. Yet the outside world does not know how to evaluate us properly. The world's hatred of them is due to jealousy over their superiority, of course³³. . . . There is a complete story concerning the relationship between Rabbi Soloveitchik and R. Hayyim Heller. The former came to Berlin to marry R. Hayyim Heller's daughter. The engagement was cancelled and Soloveitchik fell in love with the woman who is now his wife.³⁴

January 1, 1963

The battle against the Conservatives is being waged by the Orthodox with great anger. The leader of this battle is . . . R. Yehezkel Abramsky in London. Rabbi Dr. [Louis] Jacobs, who was set to be President of Jews' College and Chief Rabbi [Israel] Brodie's replacement, gave a public lecture in which he stated that the Torah of Moses was not written by Moses of blessed memory and that it is a collection of documents from different times. The speech was printed in the *Jewish Chronicle* and caused a great tumult in English Jewry. I see that in the end the [Jewish] nation will split into different factions. The English nation is unified despite its large number of heretics. The English heretics are well-mannered men of culture, and do not assault the feelings of the religious. The religious themselves are not quarrelsome. However, among us they fight with one another. This is one of the reasons why I am afraid to settle in Israel.

Our Sages decreed that one must not expound the story of the Chariot in public [*Hagigah* 2:1]. Scientific investigations must be restricted to limited circles. What is worst is that we do not have religious sages who can respond properly. I do not remember an era as

lacking in outstanding intellectual and spiritual figures as our era. We proclaim anyone who can offer a *pilpul* as a *gaon*, and the new literature declares that every one who has a good writing style is a poet or the leading writer of the nation. I was asked from Israel to give my opinion concerning the apostate [Oswald] Rufeisen (Father [!] Daniel). I did not answer and shall not. The solution to this question lies with Ben Gurion and his crowd, and the more one flatters him the more praiseworthy one is.³⁵

January 9, 1965

Confusion reigns in our world. I was told that Professor Heschel was in Israel and achieved fame there as *the* religious philosopher who who has arisen after Maimonides and R. Hasdai Crescas. He observes the *mizvot* and conducts himself as one of the Hasidim. He is the grandson of a great rebbe. One the other hand, there is a great deal of unfavorable talk about Professor Dr. [Alexander] Altmann, according to which he is a complete heretic. R. [Hillel] Medalie, previously of Leeds and now in Antwerp, visited me and told me that Mr. Wechsler, the editor of the *Jewish Chronicle*, related that Dr. Altmann informed him that he agrees with Dr. Jacobs of London but does not want to speak or write on this topic.

Have you read the book of Dr. Jacobs?³⁶ I have not read it and do not know his heresy. During the dispute with Chief Rabbi Brodie, Dr. [Isidor] Grunfeld, a distinguished *dayan* who is close to Chief Rabbi Brodie, asked me to write a letter supporting Chief Rabbi Brodie, and they would publish it in the *Jewish Chronicle*. I did not comply. I said that this is a question of *dinei nefashot* and I do not want to judge based upon rumor and the conversation of simple people who spread rumors without discernment or judgment.

I do not believe a compromise is possible between the religious and the secularists of Ben Gurion's sort, or between Mapai and Poalei Agudat Yisrael.

April 4, 1965

I don't have the strength to put my ideas in writing, so I will say just a few things in praise of your wonderful essay³⁷ which is characterized by sharp logic and its ideas are formulated in a wonderfully clear and exact way. In my opinion you should publish this essay as a separate booklet for the students of Torah and the scholars of Israel. They will enjoy it and learn from you how to formulate *lomdishe* ideas in precise scientific language. . . .

I do not agree with you that it is preferable to insert a good intention into the words of the Talmud and *Rishonim*, and based on this,

establish their words on logical foundations, rather than being tied to their words alone. This was the way of those who created *hiddushim*, but this is not the way of [scientific] investigation. The yeshiva students say: "One doesn't die from a difficulty."³⁸ In the Talmud there are many difficulties and problems which can be answered in other ways, but I can't elaborate now. Why not say that the *sugyot* dispute one another? See Tosafot, *Bava Batra* 176a, *s.v. govah*, where they write this. Maimonides followed this path, and, based upon his understanding, sometimes decided in accordance with one of the *sugyot*. This is my opinion in general, but from the standpoint of keen logic your essay will astound the reader with your great strength in refuting and answering [problems] with profound logic. . . . Therefore, I recommend that you publish your essay as a separate booklet, and if you do not want to do so, please send me a copy of both my [previous] letter to you as well as this letter, and perhaps I will publish them in the third volume of my book. This volume includes matters of *Even ha-Ezer* and *Hoshen Mishpat*, and there still is room in the section of *Hoshen Mishpat* which has not yet been completed. Naturally, I will include your comments in your name, even though by doing so I will arouse against myself the anger of the complaining zealots, who have not forgiven me for including your words in volume 2 of *Seridei Esb* [no. 78].

November 15, 1965

In Switzerland, even among the German Jews, the extremist *hasidut* has become strong. They despise academic studies and run to every rebbe who is dressed in a *streimel* and white stockings. Also in Israel there is an increase in fanaticism and the despising of academic studies in the yeshivot and circles close to them. There are a few psychological reasons for the strengthening of this spirit. One of them is the wish to raise up the destruction of the past, that which was destroyed by the Nazis. Second, the secular nationalism is empty and barren, and those who stand at its head are petty and insignificant, lacking any exalted, enthusiastic spirituality. Despite this I am planning on visiting Israel this winter and seeing if it is possible and proper for me to settle there.

The chief rabbis of Israel treat me with honor. Rabbi [Isser Yehudah] Unterman writes me his *hiddushim*, doubts and problems. He is burdened with the duty of defending traditional life, and his mind is not free to think deeply about Judaism. In Israel they speak with excitement about Rabbi Dr. Soloveitchik. He protested against those who wish to approach the Vatican and are attempting to secure from it words of conciliation with regard to Judaism.³⁹

In my opinion it is fitting to put an end to the hatred of the religions for each other. More than Christianity hates Judaism, Judaism hates Christianity. There is a dispute if stealing from Gentiles is forbidden from the Torah,⁴⁰ everyone holds that deceiving a Gentile and cancelling his debt is permitted,⁴¹ one is not to return a lost object to a Gentile,⁴² according to R. Tam intercourse with a Gentile does not render a woman forbidden to her husband,⁴³ *their issue is like the issue [of horses]*.⁴⁴ According to Maimonides, if a Jew has sex with a Gentile [woman], the Gentile is killed because the Jew stumbled into sin through her. The law of a Gentile is the same as that of an animal.⁴⁵ Maimonides derived this law on his own. It is not found in the *Bavli* or *Yerushalmi*. We must solemnly and formally declare that in our day this does not apply. Meiri wrote as such,⁴⁶ but the teachers and *ramim* whisper in the ears of the students that all this was written because of the censor.⁴⁷

Undated

I am not at fault. In the past winter I suddenly became sick and the doctors worked with me a great deal. Even though I am now up and about, I have not regained my previous strength. I am weakened, both in my ability to analyze as well as to write in an ordered fashion. Most importantly my memory has greatly deteriorated. I no longer remember my novellae, sermons, and my *own teachings*. The doctors say it is old age. This distresses me greatly. I do not want a life such as this. I greatly desire to go on *aliyah* and spend the rest of my days there, yet I don't have the strength to make the financial arrangements.

I am alone and isolated here. I have many people who respect and esteem me but no true friends. I have learnt that people befriend only those from whom they are able to receive some benefit. This is part of man's nature, as Hillel said, "If I am not for myself, who will be for me" [*Avot* 1:4]. There are of course exceptions, but they are few and far between. Among the Hasidim, the rebbes conquer the hearts of their Hasidim and are the recipients of their devotion. They hope for the rebbe's assistance in the next world. Among [non-hasidic] sages there are students who are devoted to their teachers, who warm to their light and feel deep gratitude towards them. However, this feeling lasts only when it does not carry any practical obligations.

In short, I have reached the stage of life when one fights with oneself. This is the end of all men. Only the pure righteous ones are at peace with death, because they believe that it is a gateway from life to life, from degraded life to exalted life, and even they do not want to die. They say about the Vilna Gaon of blessed memory that he

cried greatly when his time came. He explained his crying as follows: "In this world one can perform great *mizvot* with only a *perutah*." This is the saying of the *tanna*. "Against your will you live," but "against your will you die" [*Avot* 4:29]. Man does not want destruction. This is one of the forces of life. No belief and no philosophy can comprehend the feeling of dread in the face of destruction.

Appendix

ב"ה יום ג' כ"ז בתמוז תשי"ז

כבוד הרה"ג החכם פרופ' ד"ר א. א. אורבך שליט"א

אני מודיע לכת"ר כי בשל תמוטת בריאותי אי אפשר לי לבוא ולהשתתף בקונגרס העולמי השני למדעי היהדות בירושלים. דבר זה מצער לי מאד. אבל הרופא גור עלי בהחלט להסתלק מרעיון זה של נסיעה רחוקה העלולה לסכן אותי. קוה קיויתי כי אוכל להתגבר על מחלתי ותקותי זו נכובה. עיני ולבי מופנים כלפי כינוס זה של חכמי ישראל וברכה חמה בפני תחזקנה ידיכם להגדיל תורה וחכמה בישראל ויקוים בנו כי מציון תצא תורה וכו'. רצוני חזק לקיים את הקשר עם הקונגרס ומאד מאד אודה לכת"ר אם יואל לפקוד על פקידיו ועו"ר שימצאו לי את הדו"ח על ההרצאות ועל ההכרעות ועל כל מה שייעשה בו. ואם יחליטו ליסד איגוד באיזו צורה שהיא, של העוסקים במדעי היהדות, ולהטיל על החברים חובת תרומה כספית שנתית – נא ונא לבל יסיחו דעתם ממני. חבר אני לכל אוהבי חכמת ישראל וברצון אני נמנה עם העמלים בעבודתה ונושאים בעולה.

בהוקרה והערצה אישית לכת"ר שיחי' ובברכה למפעלו הגדול

יחיאל יעקב וויינברג

Notes

1. S. Atlas, "Ha-Gaon Rabbi Yehiel Ya'akov Weinberg zt"l: Kavim li-Demuto" *Sinai* 58 (1966): 281.
2. In his letter to Atlas, dated January 17, 1950, R. Weinberg writes: "You know that there is no one else besides yourself to whom I can reveal my innermost thoughts."
3. Richard Fuchs, "The 'Hochschule für die Wissenschaft des Judentums' in the Period of Nazi Rule," *Leo Baeck Institute Year Book* 12 (1967): 22; Atlas, "Ha-Gaon Rabbi Yehiel Ya'akov Weinberg zt"l: Kavim li-Demuto," 286; R. Weinberg's letter to Atlas, dated October 16, 1959; *Ha-Ma'ayan* 34 (Tevet, 5754): 13; personal interview with Professor Alexander Guttman (R. Weinberg is mentioned in the preface to Guttman's book, *The Struggle over Reform in Rabbinic Literature* [Jerusalem, 1977], xii); *Seridei Esh*, Vol. 3, #100; R. Weinberg, "Zur Frage der Bestattung nicht-jüdischer Ehegatten auf einem jüdischen Friedhof," *jüdische Rundschau Maccabi*, April 29, 1955, pp. 1-2; my "Between East and West: The Life and Works of Rabbi Jehiel Jacob Weinberg" (unpublished doctoral dissertation, Harvard University, 1995), 304-05. See also *Seridei Esh*, Vol. 3, p. 42, where R. Weinberg is concerned that negative gossip not be spread about a Reform rabbi, surely an uncommon sentiment among Orthodox decisors. In his letter to

Atlas, dated January 25, 1949, he mentions that he prevented publication of an attack on Leo Baeck, the prominent German Reform rabbi, which accused the latter of collaborating with the Nazis.

4. Cited above, n. 3. Only after completing my dissertation did I discover the following comment of R. Weinberg, which is very relevant to the *raison d'être* of this journal.

If it were, God forbid, as the opponents of secular education say, it would be a disgrace for the "wise and understanding nation" that it is not able to simultaneously digest belief and secular education, while other peoples with their foolish beliefs can do so. The Catholics, *le-bavdil*, have professors, intellectuals, researchers and great scientists, and they are strong believers and defend their religion with all the weapons of modern philosophy. . . . I am afraid that this fear of secular studies will lead, God forbid, to a disgrace of the Torah. Might one then be able to say that our great divine Torah cannot endure the conjunction of Torah with so-called secular studies, with a little grammar, geography, history, mathematics?

See his "Undzer khinukh," *Undzer Veg* (Paris), April 13, 1951.

5. Letter to Kahle, dated January 25, 1949 (Paul Kahle Archives, University of Turin). As with Atlas, R. Weinberg was able to express himself with Kahle in ways he could not do when in correspondence with more traditional scholars. Thus, in his letter to Kahle, dated February 18, 1949, he writes: "The Kabbalistic vision of the Messiah as the redeemer of all mankind is the Jewish counterpart to Christ, yet the question must still be solved as to who influenced whom."
6. It is worth comparing what R. Weinberg writes with R. Menasheh Klein, *Mishneh Halakhot* (Brooklyn, 1992), second series, *Yoreh De'ah*, #212, who discusses whether it is halakhically permissible to even read Atlas' notes.
7. He is apparently referring to the twenty-second Zionist Congress, which took place in Basle on December 9-24, 1946.
8. See *Berakhot* 55a (and parallels). Rashi explains that the faces of pig-breeders shine for they make a very good living without much effort.
9. The phrase appears in the confession for the Ten Days of Penitence.
10. "Der tsoyber nomen—Herzl," *Undzer Veg* (Paris), July 23, 1948.
11. *Sefer ha-Yovel li-Khvod Levi Ginzberg* (New York, 1946), 1-24.
12. See *Nedarim* 11:12. What R. Weinberg means to say is that his accusations cannot actually be proven, but their truth is known in heaven.
13. *Hebrew Union College Annual* 22 (1950-1951): 17-71 (Hebrew section).
14. *Sefer ha-Yovel li-Khvod Levi Ginzberg*, 159-88.
15. In the 1950's, the Mizrahi explored the possibility of establishing a rabbinical seminary, modeled after the Berlin *Rabbinerseminar*. It was never established, in large part because R. Weinberg, probably the only suitable candidate, refused to be its rector.
16. See their manifesto in *Iggerot mi-Bet ha-Levi* (Bnei Brak, 1993), 125-26.
17. The complete letter is printed in my dissertation (above, n. 4), pp. 340-42.
18. See the article of Ben Zion Firer, 1 Av, 5717, p. 2 and Yaakov Katz's articles, 3 Av, 5717, p. 2 and 16 Av, 5717, p. 2
19. See Appendix for the text of R. Weinberg's letter to Ephraim E. Urbach.
20. 'Avodah Zarah 26a; *Mishneh Torah*, Hil. *Roze'ah u-Shemirat ha-Nefesh* 4:11; *Shulhan 'Arukh*, *Yoreh De'ah* 158:1; *Hoshen Mishpat* 425:5.
21. 'Avodah Zarah 76b; *Mishneh Torah*, Hil. 'Akum 10:2; *Shulhan 'Arukh*, *Yoreh De'ah* 158:1.
22. *Yoma* 83a, 84b (it is explained here that one violates the Sabbath for a doubtful Jew, but not for one who is certainly Gentile); 'Avodah Zarah 26a; *Mishneh Torah*, Hil. *Shabbat* 2:12; *Shulhan 'Arukh*, *Orah Hayyim* 329:2.
23. *Tosafot*, *Yoma* 82a; *Ketubot* 3b, s. v. *ve-lidrosb*; *Sanhedrin* 4b, s. v. *ve-ha*.
24. *Ezekiel* 23:2. See *Yevamot* 98a. Even though R. Weinberg has moral qualms about R. Tam's view, he was willing to make use of it in order to allow a woman who

- committed adultery with a Gentile to remain with her husband. See his responsum in R. Isser Yehudah Unterman, *Shevet mi-Yehudah* (Jerusalem, 1992), 264-65.
25. See *Enzyklopedyah Talmudit*, Vol. 5, 493, s. v. *gezel ha-goy*, that not all halakhic authorities agree with this.
 26. *Bava Kamma* 113b; *Sanhedrin* 76b; *Mishneh Torah*, *Hil. Gezeilah ve-Avedah* 11:3; *Sbulhan 'Arukh*, *Hoshen Mishpat* 266:1. R. Joseph Karo, *Bet Yosef*, *Hoshen Mishpat* 266 (uncensored version) writes as follows: שוים שוים בזה בין עובדי כר"ם לאו דוקא ומילתא דפשיטא שכל הגוים שוים בזה בין עובדי כר"ם לאו דוקא.
 27. Cf. Yaakov (Gerald) Blidstein, *Gilyon*, Heshvan 5754, p. 25: "I remember that in Israel there was a real problem, do you save a Gentile on the Sabbath? One evening during this time I was with the Rav [Joseph B. Soloveitchik] and he said, 'I have been in Boston many years and I always rule that one saves the lives of Gentiles, because if we don't permit this, they won't treat our sick ones.' I asked him if this reason satisfied him from an ethical standpoint, and he replied, 'No, from an ethical standpoint it does not satisfy me.'"
 28. With regard to Urbach, Professor Yaakov Sussman has called my attention to the following. When the otherwise fine publishing house, Mossad ha-Rav Kook, reprinted R. Weinberg's *Mehkarim ba-Talmud*, it engaged in a bit of censorship. In *Mehkarim ba-Talmud*, 114, Weinberg refers to Urbach as החכם and הרה"ח. In the reprint, *Seridei Esh*, Vol. 4, 82, these titles were omitted!
 29. "Bikkoret o Ikshut," *Sinai* 46 (1960): 235-55.
 30. See above, n. 9.
 31. *Yabadut ha-Torah ve-ha-Medinah* (Jerusalem, 1959).
 32. This phrase first appears in Jewish literature in Bahya Ibn Paquda's *Hovot ha-Levavot*, *Sba'ar 'Avodat Elokim*, chapter 4. See R. Solomon Judah Rappoport, *Nahalat Yehudah* (Lemberg, 1873), 30.
 33. R. Weinberg is being sarcastic in this last sentence.
 34. Members of the Soloveitchik family assert that there is no truth to this, and that R. Weinberg was only repeating a rumor.
 35. R. Weinberg is being sarcastic in this last sentence.
 36. *Principles of the Jewish Faith* (London, 1964).
 37. "Ha'ada'at 'Edim ve-Helekh," *Sefer ha-Yovel le-Professor Avraham Weiss* (New York, 1964), 73-90.
 38. מן א קשיא שטארבט מען נישט.
 39. See his "Confrontation," *Tradition* 6 (Spring-Summer, 1964): 5-29. See, however, Walter Wurzbarger, "Rav Joseph b. Soloveitchik as *Posek* of Post Modern Orthodoxy," *ibid.*, 29 (Fall, 1994): 16, who writes that R. Soloveitchik did not oppose all attempts at cooperation between Jews and Christians. Wurzbarger concludes: "While he looked upon interreligious discussions of purely theological issues as exercises in futility, he approved of discussions devoted to socio-political issues, in spite of the fact that as he noted in a footnote to "Confrontation" [p. 5], for people of faith such issues are not secular concerns but are grounded in theological convictions."
 40. See *Enzyklopedyah Talmudit*, Vol. 5, 487-88, s. v. *gezel ha-goy*.
 41. See above, n. 25.
 42. See above, n. 26.
 43. See above, n. 23.
 44. See above, n. 24.
 45. *Hil. Issurei Biab* 12:10. *Maggid Mishneh* writes: רבינו אינו מוכרח לא לא מצאתי מבורר והפסוק הזה שהביא רבינו אינו מוכרח.
 46. See Jacob Katz, *Halakhah ve-Kabbalah* (Jerusalem, 1984), 291-310.
 47. Today they do not whisper. See David Zevi Hillman, "Leshonot ha-Meiri she-Nikhtevu li-Teshuvat ha-Minim," *Zefunot* 1 (Tishrei, 5749): 65-72; J. David Bleich, "Divine Unity in Maimonides, The Tosafists and Me'iri," in Lenn E. Goodman, ed., *Neoplatonism and Jewish Thought* (Albany, 1992), 245-46.

On Haym Soloveitchik's "Rupture and Reconstruction: The Transformation of Contemporary Orthodox Society": A Response

Dr. Haym Soloveitchik has opened a window to ourselves, the religious world in which we were raised and which is currently fading from contemporary Jewish life. The significance of the recent and current changes in that world, and of Dr. Soloveitchik's treatment of them, can be easily measured by the intensity of discussion his article has generated among Orthodox Jews of all varieties. The discussion below results from the same impulses that moved Dr. Soloveitchik in his article—to know and understand ourselves.¹

There is little to question in Dr. Soloveitchik's description of where we are in the 1990s. But one can certainly question certain aspects of Dr. Soloveitchik's discussion of *how* we arrived at where we are. The process according to Dr. Soloveitchik starts with the disintegration of the shtetl, followed by the mass migration from Eastern Europe throughout the first half of the twentieth century. Associated with the demise of the shtetl is the end of the mimetic religious life which can be learned by simply participating in it.² Whereas the shtetl came to its absolute end in the destruction of World War II, the decline of mimetic observant religiosity has not been so abrupt, but has become sufficiently accomplished in recent years to prompt Dr. Soloveitchik's description of the phenomenon. The decline of the shtetl, according

to Dr. Soloveitchik, contributed to decline of mimetic religiosity in two ways. First, the loss of society as educator naturally sends people back to more primary sources for instruction and guidance—the books of traditional rabbinic learning. Attendant to this return to the books is the discovery of a variety of options in the observance of the *mizvot*, resulting in a crisis of confidence in exactly how to serve God in deed—since the common practice of society no longer serves as a reliable guide. This crisis of confidence has two consequences: (i) the tendency to punctilious observance of the commandments as delineated in the books on the Halakhah (and, for the uninitiated, halakhic handbooks), and to convert *humrot* in the Law to normative positions of the Law, and (ii) a shift in religious authority from the family and local rabbinate to the academic, institutional masters of the book, the *rashei yeshivah*. The second way in which the demise of the shtetl contributed to the new emphasis on the details of the *mizvot*, at the expense of the mimetic way, is the end of the shtetl culture as a distinctive way of life. The embourgeoisement of religious Jewish culture and the end of the religiosity of material self-denial, what Dr. Soloveitchik has referred to as “the thousand year struggle of the soul with the flesh” (p. 81), have produced the need for distinctiveness that heretofore had been taken for granted. As religious Jews became more integrated into modern Western lifestyles, the options for distinctiveness narrowed to an emphasis on the literal details of the commandments, on the exact performance of the *mizvot*.

Generally, these processes are understood as following an inexorable pattern, as though what happened had to happen, given the disintegration of the shtetl and the consequent migrations of Jews away from Eastern Europe. Also, Dr. Soloveitchik's view³ is that the processes of change in the haredi and Modern Orthodox communities are roughly the same, except that the changes first take place in the haredi community in more intense form and then are diffused to the Modern Orthodox community in an essentially similar, but less intense, cultural climate. But Dr. Soloveitchik has underestimated and/or omitted a number of important considerations relevant to the process of this change. The dynamic within the Modern Orthodox community was quite different, especially in light of the ideological and propogandic preaching of the haredi community to the Modern Orthodox.

Indeed, no consideration is given to the fact that the haredim actively and successfully exported their process of change to mimetically religious Jewish society. At the beginning of the endnotes, Dr. Soloveitchik refers to discussing the “ideological climate” elsewhere. But, as we shall see, it is simply too artificial to view ideology as

mere background "climate", as not intimately involved in and directly attempting to fashion the course of the new religiosity.

1. With regard to the dynamic of change in the Modern Orthodox community, Dr. Soloveitchik seems to have ignored a large segment of observant Jews, who certainly are a part of the discussion. I refer to East European Jews (such as my own family) who began arriving in the United States shortly before and after World War I. These Jews are discussed explicitly only on pp. 89-90, in the context of their adjustment to American life, the institutions they created, and their sense of Jewish identity. But there is no explicit discussion of the religious life of those Jews in this group who remained loyal to the tradition; thus, they seem to have been identified with those mimetic Jews who came after World War II. But their experiences, and their views of themselves and of the American cultural landscape, say in the 1950s, were quite different from those who arrived later. These were people who lived in, for example, Williamsburg, Crown Heights, Flatbush, Borough Park, and (in smaller numbers) Far Rockaway. There were others in New York City and throughout the United States whose children I met in the yeshivot, but the communities I mentioned contained the relatively large concentrations of Jews with whom I was most familiar. Those who arrived around World War I lost many Jews to assimilation (partial or total), but the self-knowledge of the observant Jews, among whom I was raised, was secure and vibrant. Their great loyalty to and sacrifice for the tradition was expressed in their steadfastness to Sabbath observance through the Depression. And beyond the Depression, the economy in good times was inhospitable to Sabbath observance and, yet, these Jews remained loyal. They were high school educated (which meant quite a bit then) and integrated into American life. They conducted themselves with the classical Jewish sense of *yosher* and *menschlichkeit*. They may not have literally conformed to haredi standards of dress, but they maintained its spirit; their comportment and demeanor were certainly modest (as was much of the American social landscape), in keeping with the old tradition. And they were fully conscious of having passed the test of loyalty to *Shabbat*, *kashrut*, and daily prayer. They may have been born into the tradition, but in the United States they certainly required no great inner impulse to abandon it. The "melting pot" invited them to leave the Old World, culturally as well as physically, as it welcomed them with open arms. The norm was that they view the tradition as irrelevant, but they chose to affirm the meaning and viability of the tradition in a new time and place. And they were fully aware that their loyalty to the tradition was not the product of social and/or cultural inertia, but, rather, it expressed a

value judgment on the tradition. Most important, their sense of religious excellence remained focused on the *mensch* within—what they used to refer to as the “fifth volume of the *Shulhan 'Arukh*”.

Therefore, Dr. Soloveitchik's claim (middle paragraph, p. 71), that the choice to live by the commandments must lead to an emphasis on *regula*, did not apply to them. They did not even begin to participate in the emphasis on details of the Halakhah, and especially *humrot* (pp. 72–73), until the beginning, maybe even the middle, of the 1960s. Throughout the 1950s, they derided the new *humrot* that were appearing, whether their source was the yeshivot or the pre-existing practice of the newly arrived Hungarian Hasidim. The issue of *humrot* was quite trivial to them, considering that they and their parents prevailed in their loyalty to the tradition all those years in an economy predicated on a six-day work week which included *Shabbat*, in contrast to the post-World War II economy which became increasingly predicated on a five-day work week, thereby allowing for more Sabbath observance than ever before. Furthermore, the whole discussion (pp. 74–82) on the need for distinctiveness in the context of the embourgeoisement of the haredim did not apply to these Jews. They had been middle-class for so long. Certainly, they made more money from the 1950s onward, and were accepted to a wider variety of universities and entered more professions. But these people remained loyal as before, and their success vindicated their belief in an observant Jewish life as well as in the American system. I do not think that more (proportionately) were lost to the tradition from these Jews after World War II than before World War II. Whatever adjustments they made to modern life in the new world were done well before World War II. And the same comments apply to their psychological requirement of distinctiveness. They certainly had no profound need to distinguish themselves in their practice since they knew they followed the tradition; thus they did not require the distinctiveness of presumed meticulous performance to establish their self-integrity. For them, the mimetic way more than sufficed.

Finally, the Modern Orthodox did not go through any crisis of confidence and sense of loss of authenticity until the late 1970s and the early 1980s (I will describe the process below). Moreover, the position of the Modern Orthodox within the Jewish community seemed to soar in the 1960s, starting with the relief of the pressures of the American melting pot and culminating with Israel's victory in the Six Day War. One has to remember that the Six Day War was taken as full vindication of mimetic Judaism's support of the State of Israel. I was at the University of Minnesota from 1966–1970, and it was very “cool” to be not only Jewish but Modern Orthodox. One

might say that the “do your own thing” of the 1960s and the rejection of the melting pot by the Blacks in the late 1960s–early 1970s removed the hesitancy of students to wear *kippot* on college campuses, but it was the victory of the Six Day War that provided the positive impetus to do so. Thus, with nearly all of these Jews, whatever “crisis of confidence” they may have endured came much later, and the process was not just a delayed parallel to the situation in the haredi yeshivot.

2. With regard to the ideological polemic of the haredi community, Dr. Soloveitchik presents (p. 94ff) a theoretical construct of the process of the shift of religious authority: it starts with a crisis in self-confidence within the mimetic religiosity, which must turn to some external source for the solution—in this case, books, from which submission to the authorities on books, the *rashei yeshivah*, is but a natural consequence. Of course, there is another possibility, that the process goes in exactly the opposite direction, i.e., that the yeshivot want to establish themselves as the final authority in religious life and therefore seek to shift the grounds of religiosity to their turf, i.e., to the books. Thus they consciously sought to create a crisis of confidence in mimetic religiosity.⁴ And I know from personal experience that in certain areas this second possibility was certainly the reality. I finished the last three years of high school at Yeshiva Rabbi Jacob Joseph on the Lower East Side of Manhattan from 1953–1956, spent three years at Yeshiva Ner Israel in Baltimore from 1956–1959, and one year at the Mirrer Yeshiva in Brooklyn, 1959–1960.⁵ These schools had few haredi students. Most students were from the Modern Orthodox families I described above, and they included students from non-haredi families who arrived in the States after World War II. In short, most of us came from mimetic Orthodoxy, with no crisis whatsoever about their way of life.

But from the moment we entered these yeshivot, the haredi *rebbe'im* attacked this way of life, both in a positive and negative way. The positive consisted of the constant extolling of the *gedolim/rashei yeshivah* as religious authorities, and the model of *ben torah* as they formulated it. The negative consisted of the denigration of the American rabbinate and Yeshiva University, and the *bitul* of American *ba'alei batim*. The proportion of positive to negative depended on the individual *rebbe*, how much the older students accepted it and therefore made it the dominant atmosphere. No question, there were *rebbe'im* who almost exclusively emphasized excellence in learning and whose deep piety was natural, not self-consciously ideological. But the extreme ideological haredi *rebbe'im* were unremitting. Their attack against college always centered on the Rav, Rabbi Joseph B.

Soloveitchik; but since they could not criticize *him*, as he was a living counterexample to everything they said, they aimed their polemics instead at Yeshiva University and the rabbis who emerged from there. In those days the polemic was unrestrained but not overly successful. Thus I am not convinced that Dr. Soloveitchik's description of the new authority of the *rashei yeshivah* is accurate when applied to the Modern Orthodox community. For the occurrence of the crisis of confidence in the Modern Orthodox community depended on the receptivity of that community to the ideological claims of the very existence of a crisis in mimetic religiosity.

But, ultimately, the haredim became successful. In the 1970s, amidst the growing tensions between Jews and Blacks, under the impact of the collapse of American culture due to the social revolutions of the 60s and the fiasco of Vietnam, with the emerging realization on the part of American Jews of the extent of their silence during the Holocaust, and during the cultural assault against Western civilization as such, the haredi ideology began to strike serious roots and receive a more serious hearing in the Modern Orthodox community. Surprisingly, the major aspect of haredi success was not considered at all by Dr. Soloveitchik. The haredim had a program all along, and the students who stayed with them became their army. They sat and learned in the yeshivot and/or went out and became educators. They taught mostly in Torah Umesorah day schools populated by mimetically religious Jews. Moreover, they took full advantage of the new opportunities, including the growing phenomenon of school busing, to achieve racial integration, to expand and develop the day school movement in the United States. These educators brought the haredi polemic and ideology into the very heart of the Modern Orthodox community. Since the haredi educators were American born and were raised in better material circumstances, they rarely attacked the *ba'alei batim*. Rather, they emphasized the positive, co-opted the *ba'alei batim*, and introduced them to the religious authorities of *their* world. The focus on books as Dr. Soloveitchik describes it was definitely secondary. When the haredi teachers began influencing the parents, who had not been so religiously involved prior to their children attending school, they directed *these* people to the handbooks. As Dr. Soloveitchik pointed out, the length of time spent in religious educational institutions had grown beyond what it had ever been. The mass audience of Modern Orthodox students were now exposed through their teens and beyond to haredi influence. Even those who attended Yeshiva University arrived with a new background and mindset. Thus, the crossover from mimetic to books was not a natural development in the Modern Orthodox community. The crisis of

confidence was now successfully brought to the Modern Orthodox by the haredim. Their crisis of confidence, as described by Dr. Soloveitchik, with their solution. And it was brought not to my and Dr. Soloveitchik's generation, but to those that followed. It is important to note that this occurred both in the United States and Israel through the populating of Modern Orthodox Bnei Akiva schools with haredi teachers, although the dynamic in Israel was probably quite different.

Furthermore, while the *teshuvah* movement had little impact on the haredi yeshivot, it had a far greater impact on the mimetic communities than Dr. Soloveitchik is willing to concede (n. 19). Most of the young people impacted by this movement were attracted by haredi outreach efforts but lived in predominantly mimetic communities. The large numbers of these people were significant, and it was this group that fed the tremendous expansion of the day school movement—whether the children became part of it as a result of their parents already being *ba'ale teshuvah*, or whether the *teshuvah* of the parents was an outgrowth of their interaction with the day school movement. Now, these people certainly were reliant on books, having had no, or having forgotten their, mimetic religious upbringing, but their sense of religious authority was already more directed to the haredi orbit than to the Modern Orthodox one. And they definitely contributed to undermining the authority of the modern American rabbinate. These *ba'ale teshuvah* kept pointing to their halakhic handbooks, and no rabbi was going to undermine their faith in the books that were helping them “return” to Judaism.

A final, more subtle, aspect of this emerging phenomenon was the almost exclusive authority of the *Mishnah Berurah* in the yeshivot. Here was an accessible book which gave the impression of being the last word, and which could replace the mimetic society as the primary educator of the Halakhah in daily life. In fact, it became a major tool in undermining the confidence of mimetic Modern Orthodox Jews in the local American rabbinate. For when students returned to their communities, they now knew the last word as well as (better than, in their own eyes) their local rabbis. I saw both ends of this process—in the yeshivot and in the communities. An indication of the new mode of thinking lay in the distinction between the prevailing approach in Ner Israel among the students and the *rebbe'im*, on one hand, and R. Jacob I. Ruderman, the *rosh yeshivah*, on the other. Everyone would nearly always cite the *Mishnah Berurah* as the last word, unless one of the *rebbe'im* found that his own study of the *Shulhan 'Arukh* and its commentaries absolutely left him no choice but to disagree. But I once saw Rabbi Ruderman answer a query by ruminating aloud, citing three *teshuvot* one way and three the other,

then pausing to think, telling the questioner what to do, and finally asking, "what does the *Mishnah Berurah* say?" One cannot create a theory on the basis of only one example, but this striking incident crystallizes what I had experienced throughout those years in the yeshiva.

3. Another aspect of the haredi polemic ignored by Dr. Soloveitchik is his discussion (pp. 84–86) of how the haredi record of the past is recast to reflect the present, in order that the haredi present be seen as an authentic continuation of the past. Dr. Soloveitchik simply remarks on the existence of "darker aspects" to such a retelling of history, refers the reader (n. 63) to R. Berel Wein as a possible example of this phenomenon, and then launches into a three paragraph analysis on comparing such re-creation of the past with teaching a child moral imperatives in the guise of factual truths, such as, that crime does not pay and that honesty is the best policy. The discussion endows the phenomenon with the childlike innocence of a pre-literate folk culture at the same time that we are supposedly speaking of an adult religiously mature culture. Which is it? Are we really discussing anthropology here,⁶ or are we speaking of an ideologically oriented manipulation of the written word—especially in a society where the written word is presumably the only word? When the absolutely known truth is edited, when the original words of authors are expurgated, are we discussing a phenomenon which is to be described in terms of whether crime does or does not pay? Does Dr. Soloveitchik apply such categories to the editing, after World War II, of the speech the Belzer rebbe delivered in Hungary just prior to his departure for Israel in January 1944?⁷ If an editor publishes an edition of the commentary by R. Yehudah ha-Hasid to be followed by his own hand with a subsequent expurgated edition, is that simply a dark aspect?⁸ If an English translation of the *Mo'adim ba-Halakhah* excises mention of the establishment of the State of Israel as a consideration in a halakhic question, is this merely a dark aspect in the lack of fealty to the truth?⁹ This last case is extremely frightening because it means that we are facing not only expurgated histories, but also expurgated Halakhah.

Dr. Soloveitchik clearly knows all this, and clearly wishes to avoid needless controversy. After all, to describe someone or some group as having engaged in censorship is to accuse them of doing so. But R. Shimon Schwab has argued that there is no controversy here. He is of the opinion that such censorship is a necessary aspect of the transmission of the tradition, and therefore the usual negative value judgments associated with the word "censorship" do not apply. R. Schwab's position is that in this situation censorship is not objection-

able, it is even laudable; furthermore, it is not just laudable, it is the only legitimate option. R. Schwab's view has left the innocent paradigms of "crime does not pay" and "honesty is the best policy" far behind. He has given us an articulated ideology of distortive hagiographies:

There is a vast difference between history and storytelling. History must be truthful, otherwise it does not deserve its name. A book of history must report the bad with the good, the ugly with the beautiful, the difficulties and the victories, the guilt and the virtue. Since it is supposed to be truthful, it cannot spare the righteous if he fails, and it cannot skip the virtues of the villain. For such is truth, all is told the way it happened. Only a *navi* mandated by his Divine calling has the ability to report history as it really happened, unbiased and without prejudice.

Suppose one of us today would want to write a history of Orthodox Jewish life in pre-holocaust Germany. There is much to report but not everything is complimentary. Not all the important people were flawless as one would like to believe and not all the mores and lifestyles of this bygone generation were beyond criticism. An historian has no right to take sides. He must report the stark truth and nothing but the truth. Now, if an historian would report truthfully what he witnessed, it would make a lot of people rightfully angry. He would violate the prohibition against spreading Loshon Horah which does not only apply to the living, but also to those who sleep in the dust and cannot defend themselves anymore.

What ethical purpose is served by preserving a realistic historical picture? Nothing but the satisfaction of curiosity. We should tell ourselves and our children the good memories of the good people, their unshakeable faith, their staunch defense of tradition, their life of truth, their impeccable honesty, their boundless charity and their great reverence for Torah and Torah sages. What is gained by pointing out their inadequacies and their contradictions? We want to be inspired by their example and learn from their experience.

When Noah became intoxicated, his two sons Shem and Japhet took a blanket and walked into his tent backwards to cover the nakedness of their father. Their desire was to always remember their father as the Tzaddik Tomim in spite of his momentary weakness. Rather than write the history of our forebearers, every generation has to put a veil over the human failings of its elders and glorify all the rest which is great and beautiful. That means we have to do without a real history book. We can do without. We do not

need realism, we need *inspiration* from our forefathers in order to pass it on to posterity.¹⁰

I am certain that after R. Schwab's words are carried out, by those who agree with him, to their full conclusion, there will be no restraint of any sort in these matters, even if R. Schwab contemplated or insisted upon such restraint such as deletions from the historical record only, in the spirit of *shev ve-al ta'aseh*. A positive distortion, even for the sake of Heaven, would unquestionably earn the censure of Ps. 101:7 as interpreted in *Sanhedrin* 102b.¹¹ The specific context of R. Schwab's remarks allows that he only meant deletions. R. Jacob J. Schacter also interprets R. Schwab's remarks in this manner.¹² Even if one were to grant legitimacy to deletions in the spirit of R. Schwab's remarks, the problem is that deletions are not guaranteed to remain just that; the context in which they occur might easily render them genuine distortions. In the three deletions presented earlier, only the first is a deletion in the spirit of R. Schwab's remarks.¹³ After all is said, R. Schwab's views remain simply incredible.

4. My own theoretical construct, the result of impressions over the years and recent discussions generated by Dr. Soloveitchik's article, is the following:

(a) Within the "book side" of the book-vs.-mimetic dichotomy, there are roughly two choices. The first is the unflinching return to the primary texts of the Talmud and *Rishonim* in the tradition of the Gaon of Vilna (Gra), which is an open potentially revolutionary movement. It throws open to new examination, in light of primary sources, all laws and customs currently accepted without thought. It is even interested in the precise recovery of the original texts, whether or not the Gra's methodology in textual readings is considered critical by today's standards. And it opened up the entire Tanaitic and Amoraic corpus (e.g., the *Midreshei Halakhab* and the *Talmud Yerushalmi*) to new study. The establishment of a precise text of the Talmud and the new study of the broader talmudic corpus are not necessarily directed to practice, but might ultimately have some influence over it. In practice, new analysis might not, on new grounds, overturn an *issur* which had spread throughout the entire community for generations. But for a broad category of customs, and for new questions, the chips will fall wherever they may. There is no a priori social program, nor an a priori bias either to *kula* or *humrah*. As such, it infuses a new intellectual cutting edge of Talmud study into the very fabric of religious daily life. The second choice in the "book side" of the dichotomy is its return to the authority of books as an instrument of arch-conservative practice and culture. Here there is

definitely a conscious social program, with all the a priori biases and inclinations which come with it.

(b) The "return to the books" in the tradition of the Gra has at least a vision of how "the books" are to influence observance. But, by its very nature, the mimetic religiosity has no ideology nor accompanying polemic. The integrity of mimetic religiosity, its only polemic when it is attacked as inadequate, lies in the very quality of the social religious life it leads. This quality either speaks for itself and carries the day, or it fails. One might wish to say (as is fashionable these days) that it is focused on the bottom line, but my point is that the "bottom" line is the *only* line. Therefore, once it is challenged and forced into debate to hold its own, it is almost doomed from the outset. Similarly, it has no conscious directed program to produce the educators of the next generation. They are expected to emerge, naturally, from the very fabric and nature of a complete mimetic society. But the existence of the complete mimetic society presupposes a certain stability, and that crucial stability has been steadily undermined since the Enlightenment.

(c) Book-based ideological programs are naturally attracted to higher educational institutions, as the receptivity of these institutions to such initiatives, and the benefits of the inroads into these institutions in terms of structure, leadership, authority, and concentrated audience, are sufficiently clear. This is especially valid when, in contrast to hasidic courts, they are the only visible overarching structures of religious leadership in a society where such leadership is exclusively dependent on higher learning. Thus, it is not surprising that the ideologically conservative have been fighting for the heart and soul of the yeshivot for approximately one hundred years.

This theoretical construct was realized as follows. The initiation of the book side of the dichotomy began with the Gra, with his open choice of books as an instrument for a fresh renewal of the tradition. Only some aspects of his program succeeded in the world of study of the yeshivot. Interest in establishing precise versions of the texts and interest in the full range of Tanaitic and Amoraic literature, though, never played a significant role in the yeshivot, save for certain individuals, the most prominent of whom was the Neziv. Nonetheless, the creativity of the yeshivot in the new study was quite real, albeit in other areas. One might ask to what extent the original intellectual level and creative cutting edge is being currently sustained, or is, for that matter, sustainable in principle. More important, what is the relation, if any, of the post-World War II creative level in the yeshivot to the phenomenon discussed by Dr. Soloveitchik. In practical matters, the Gra's open tradition in book learning has been maintained by a

school of *posekim* to our day, as mentioned by Dr. Soloveitchik. But the great irony is that the original movement of the Gra back to the exclusive authority of primary texts was taken over by the ideologically conservative wing of the haredi world.¹⁴ This wing had been fighting for its exclusive authority as part of its battle with the ill winds of change since the mid-nineteenth century. It did not co-opt the potential return to the books from the outset. Indeed, Dr. Soloveitchik's description of the shift of view from *'Arukh ba-Shulhan* to *Mishnah Berurah* indicates only an intuitive shift in daily practice. But, starting from the end of World War II, with all that the destruction of Eastern European Jewry implied and with increasing common cause with the hasidic movement, the conservative ideological view of book-based religiosity increasingly dominated the haredi world to the point that it is now almost complete. One might say that, at least since World War II, the yeshivot have essentially ceased to be academic institutions and became institutions in the service and shaping of society (see p. 88ff), parallel to precisely the sort of change that American universities are going through in the last few decades. The successful inroads in the mimetic Modern Orthodox society have occurred more recently. But that success was based primarily on the haredim having totally adopted the world of book based religiosity and having fielded an army of educators in the mimetic non-haredi schools in the United States and in Israel, and on the crisis of Western civilization in general, as realized in the last decade.

Haredi Judaism is very comfortable with and is very much a part of the current cultural landscape. This landscape is characterized by a performance oriented culture, whether technology or economics, cheerfully uninterested in the conceptualizations, whether of science or capitalism (with all that these two notions imply), which ultimately produce the user friendly tools by which we live. The current cultural climate prefers practice to theory, and ideology to ideas. The universities, once feared for their free philosophical inquiry and heretical views, are tame prep schools for the professions, commerce, and technologies.¹⁵ The cultural landscape also features a loss of belief in the humanistic message of Western, European civilization. Strident ideological critiques of European civilization have emanated from a variety of quarters, whether they be, *le-havdil*, politically correct deconstruction on the left, extreme conservatism on the right, Afro-American separatism, or Christian and Muslim fundamentalism, to name some obvious examples. The haredi battle with European civilization is over a hundred fifty years old, and they have "kept the faith" all this time. For reasons not directly related to their efforts, their time has come and they are well-prepared to make the most of

it. Thus, observant Judaism, as practiced and preached by the haredim, has not functioned in a more supportive general cultural environment since before the Enlightenment. Whether the haredi culture will survive the next cultural sea change, when the pendulum will swing in a new direction, remains to be seen. Considering the pace of cultural change of the last fifty years, the challenge will not be far down the road.

The failure of mimetic religiosity lies in the fact that it remains just that, purely mimetic, that it does not produce excellence with programmatic purpose, to continue for another day in a new place. It produces excellence, but excellence for its own sake. The failure of Modern Orthodoxy to claim and hold a non-haredi vision of its own, lies in the fact that it did not succeed in the positive work of *borer*,¹⁶ of articulating what exactly is worthwhile in humanistic Western civilization on its own terms, and what of that culture can contribute to our life of the commandments and the service of God.

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The religious core of the phenomenon discussed by Dr. Soloveitchik was intuited, if not fully anticipated with all its social ramifications, by R. Shmuel of Kelme (1797–1868) at least one hundred twenty-five years ago. He was quoted by his son-in-law as follows:

My father, may his memory be blessed, was not from those who [only] ate *yashan*, nor did he [only] eat *mazah sbemurah*, and he also walked in polished shoes. And I am from those who restrict themselves to *yashan*, who [only] eat *sbemurab*, and I do not walk in polished shoes. And those who follow me might add even more cautionary restrictions than I did. But, in the same way that it is known that I do not compare to my father *z"l* even as vinegar to wine, so it is possible that those who follow me will not fear Heaven more than I do. And the cause of the matter is as follows . . . my father, may his memory be blessed, whose fear of and trembling from God was as a burning flame, and his piety was exceedingly great, did not need to inspire his fear, and therefore he found it proper not to engage in excessive piety. But we, who do not have the inner flame as he did, may we achieve our goal to be inspired in the fear of God via [accepting upon ourselves] many cautionary restrictions.¹⁷

One hundred twenty-five years ago, a Lithuanian *talmid hakham*, one of the few who lived in accordance with the halakhic practices of the Gaon of Vilna,¹⁸ found in his less accomplished, albeit educat-

ed, father the inner flame of the fear of Heaven and great piety. Because his own external halakhic practice seemed more stringent than that of his father, he felt compelled to justify himself. Today's Orthodox society has no such compulsion, nor do its halakhic practitioners.¹⁹ Very much a part of the contemporary society of the West, Orthodox society no longer sees the family as the embodiment of the standards of moral and religious values, its halakhic emphasis on *kibud av ve-em* notwithstanding. It sees the institutions of higher learning and their leaders (the *rashei yeshivah*), and the halakhic handbooks which summarize the current consensus, as the arbiters of these values and as the social instruments of inculcating them into Orthodox society. It no longer takes its inspiration from the living people of everyday life. Rather, it finds its inspiration in Orthodox ideology, and in idealized hagiographies intended to serve the ideological trends of the current moment. After having occupied a central position in rabbinic Judaism since, at least, R. Baḥya b. Pakuda's *Ḥovot ha-Levavot* (ca. 1100), the "inner flame", though surely claimed to be burning brightly as never before, seems to have become essentially irrelevant.

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I always learn from Haym Soloveitchik far more than I imagine I will at the outset. For he not only gives us his own understanding; he always enables us to go so much further for ourselves, having set us on the right path along which to continue.

Notes

1. See H. Soloveitchik, "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," *Tradition* 28:4 (1994), pp. 64–130.
2. The mimetic religious life was such that, for example, *kashrut* was learned in the mother's kitchen, and prayer in the father's synagogue.
3. See his introduction to the endnotes.
4. It is worth noting that attacks on mimetic religiosity, under the rubric *mizvat anashim melumadab* (Is. 29:13), has a venerable history. Here we are speaking of this critique as directed toward a change of religious leadership, from local communal rabbinates to centralized leadership in the yeshivot.
5. I have, unfairly, telescoped my varied experiences at these yeshivot into one composite. Also, I did not include the year 1960–1961 that I spent in the Ramailis Yeshiva Nezaḥ Yisra'el in Brooklyn for two reasons: (i) The yeshiva was not a yeshiva institution in the sense that the others were. It was more of a small *bet midrash* under the direction of the R. Israel Gustman, and had none of the apparatus that characterized the large yeshivot; (ii) Even had it been like the others (indeed, its size grew considerably when the yeshiva moved to Israel), R. Gustman's piety and learning were more reflective of the East European religiosity centered

- on personal piety, learning, and *pesak* in the Lithuanian tradition, rather than characterized by public leadership in pan-communal organizational frameworks such as those found in other yeshivot.
6. Dr. Soloveitchik's remarks on how people view reality through prisms intended to achieve a view of their universe consistent with their own interests (high as well as low) might apply as well to primitive tribes or to violent groups founded on racial hatred. Clearly, these are the extreme cases, and they obviously should not serve as a model for our discussion; but Dr. Soloveitchik's discussion fails to clearly distinguish the haredi case from the general anthropological phenomenon.
 7. See M. Piekarz, *Hassidut Polin* (Jerusalem, 1990), Chapter 13; E. Schweid, *Ben Hurban Li-shu'ab* (Tel Aviv, 1994), Chapter 4.
 8. See *Perushei ba-Torah le-Rabi Yebudah ba-Hasid*, ed. I.S. Lange (Jerusalem, 1975).
 9. See R. Shlomo Yosef Zevin, *Mo'adim ba-Halakhah* (Tel Aviv, 1949), 371; *The Festivals in Halakhah 2* (New York, 1981), 294.
 10. R. Shimon Schwab, *Selected Writings* (Lakewood, 1988), 232-34; also quoted in Jacob J. Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892", *The Torah u-Madda Journal*, 2(1990): 111.
 11. The Talmud there comments on the debate between Micah b. Yimlah and four hundred prophets as to whether Ahab should go to battle to capture Ramot Gilead (I Kings 22:2-40). The spirit in the Heavenly Court which offered to be a false spirit for the four hundred prophets (v. 21) was that of Navot ha-Yizre'eli. God responds "go, and do so!". The Talmud explains that "go" does not mean to go forth to carry out the mission (that is presumably included in the statement "and do so"). Rather, it means "you are banished from before Me (*zei mi-mehi-zati*); 'the teller of lies cannot stand before me' (Psalms 101:7)".
 12. J. Schacter, p. 111f.
 13. For another example of deletion-turned-distortion, see J. Schacter, p. 113, n. 5.
 14. I missed this point on my two readings of the article; a friend pointed it out to me.
 15. To be sure, the universities still offer hedonistic temptation and social acculturation.
 16. In the spirit of *naphah*, *Avot* 5:15. Among the four types of students sitting before the wise, *naphah* is the sieve, the student who collects the finest flour and leaves behind all the rest.
 17. Aryeh Leib Fromkin, *Sefer Toledot Eliyahu* (Vilna, 1900), 7; also quoted in Immanuel Etkes, *Lita bi-Yerushalayim* (Jerusalem, 1991), 27-28.
 18. A.L. Fromkin, pp. 70-71; I. Etkes, p. 27; H. Soloveitchik, p. 111, n. 20(c).
 19. H. Soloveitchik, p. 112, n. 22.