



Chag HaSemikhah 5782

The Role of the Rabbi:
An Address Delivered by Rabbi Joseph B. Soloveitchik

WEDNESDAY, 26 IYYAR 5715 | MAY 18, 1955

לעילוי נשמות
הרב יצחק אהרן בן הרב ר' אליהו
ורעיתו מרת בלומא בת ר' ישראל אריה ליב
זינגער

מאת בניהם
ברוך, אליהו צבי הירש, נתן, יוסף, וישראל זינגער

Translator's Introduction

המסמכים ויגילו הרבנים ושמחו הרבנים upon the publication of an English translation of the address delivered by *Moreinu ve-Rabbeinu* Rav Joseph B. Soloveitchik, *zts"l*, at the Twelfth Annual Convention of the Rabbinic Alumni of Yeshiva University, held at Rubinfeld's Monsey Park Hotel in Spring Valley, NY, on 24-26 Iyyar 5715, corresponding to May 16-18, 1955. The Rav's lecture, given in Yiddish, was scheduled for the afternoon session on Wednesday, 26 Iyyar 5715 / May 18, 1955, which began at 1:30pm and closed the conference.¹

As far as I am aware, this represents the first time "The Role of the Rabbi" is being printed in full (in any language).² A substantial (though incomplete) Hebrew translation of the *derashah* came out in 1992,³ five paraphrastic English excerpts were published by Rabbi

¹ A relatively good-quality recording of the *derashah* can now be found online: www.youtube.com/watch?v=HGoeo7Sicrg (accessed October 19, 2021).

² Unfortunately, "full" is a slight mischaracterization, as the available recording itself cuts out briefly at three points. See also below on some of the editorial choices I made.

³ See the essay entitled "Shomerim la-Boker" in the Rav's *Divrei Hashkafah*, ed. Shlomo Schmidt, trans. Moshe Krone (Jerusalem: Eliner Library, World Zionist Organization, 1992), 70-87.

aron Rakeffet-Rothkoff in 1999,⁴ a Hebrew summary was appended to a book by Rabbi Moshe Leventhal printed in 2007,⁵ and a short English adaptation by Rabbi Joshua Rapps appeared in 2014.⁶ I was not able to locate other published versions of this talk.

The present translation has its origins in 2017, when the well-known benefactor and supporter of the publication of the Rav's Torah, Mr. Baruch Singer, hired me to render a few *derashot* from Yiddish into English. At the time, I had no intention to print my work, but with the news of the upcoming Chag HaSemikhah, I decided to give it another look. The version before you constitutes the reedited—and, I think, much improved—text of my

⁴ See his *The Rav: The World of Rabbi Joseph B. Soloveitchik*, vol. 2, ed. Joseph Epstein (Hoboken, NJ: KTAV Publishing House, Inc., 1999), 47-52, 54-56, 59-65, 174-175. In a personal communication (dated October 3, 2021), Rabbi Rakeffet-Rothkoff wrote that he “translated the talk from a reel-to-reel recording. As I recall, Irwin Shapiro obtained the reel from a Rabbi who worked in the Community Service Division of Yeshiva. I believe his name was Hershkowitz.” He was unsure who had given the address its title but noted that it may have been written on the box of the reel.

⁵ See his *Serarah she-Hi Avdut: Sugyot be-Rabbanut ha-Kehillah*, 1st ed. (Jerusalem: Moshe Leventhal, 2007), 724-733 (Appendix 2).

⁶ See his column “Safeguarding Our Heritage,” *The Jewish Press* (May 2, 2014): 63, 68. In a personal communication (dated October 11, 2021), Rabbi Rapps recalled that he summarized the talk based on a tape of the address made available by Rabbi Milton Nordlicht.

original translation. It aims to hew closely to the original Yiddish (including some of the Rav's humor), with only minimal adjustments, additions, and subtractions made for purposes of clarity, and to better suit the present written medium. I also added section titles, bracketed in-line citations and identifications, and (relatively few) footnotes, and I placed within parentheses those comments of the Rav that I understood to be parenthetical. In recognition of the learning of the audience to whom this address is now being presented, I generally (with some exceptions) transliterated halakhic or other familiar terms without translating them. Biblical verses are here rendered according to the 1985 Jewish Publication Society (JPS) *Tanakh* translation, made available via www.sefaria.org/.

It is my pleasure to acknowledge several individuals who helped to bring this project to fruition. First, I am grateful to Dr. Tovah Lichtenstein for granting me permission to publish the Rav's *derashah* and to Mr. Singer for sponsoring the initial translation and allowing me to use it as the basis of the present text. I further thank Rabbi Yosef Housman for correcting some mistakes I made in transcribing the original Yiddish from the recording;⁷ Ms. Shulamith Z. Berger for locating and scanning on my

⁷ Those interested in receiving a copy of the (imperfect!) Yiddish can e-mail me privately: shaul.seidler-feller@mail.yu.edu. Comments, corrections, and especially questions are likewise enthusiastically welcome at this address.

behalf the program from the convention at which the address was originally delivered;⁸ Rabbis Eliyahu Krakowski and Daniel Tabak for their extremely helpful comments on an earlier draft; and especially Rabbis Aryeh Lebowitz and Yaakov Taubes for their respective roles in bringing this lecture to press.

Though numerous aspects of Jewish life in America have changed over the past sixty-six-plus years, I believe the talk remains relevant today for many young rabbis entering the field for the first time, as well as for more seasoned *rabbanim* with years of experience behind them. It is my hope that the Rav's wisdom and guidance as preserved in these pages will inspire future leaders of our community for generations to come.

ברוך נתן ליעף כח ולאין אונים עצמה ירבה

Shaul Seidler-Feller
New York, NY
13 Marheshvan 5782 /
October 19, 2021

⁸ See Yeshiva University Archives. Public Relations Events Collection. Rabbinic Alumni.

The Role of the Rabbi

Misunderstanding the Book of *Va-Yikra*

Gentlemen, between *Pesah* and *Atseret—Shavu'ot*—during the *sefirah* period, we read the book of *Va-Yikra* almost exclusively, with the exception of one *parashah* from *Be-Midbar*.⁹ This book has, historically, had no luck. “Everything requires luck, even the Torah scroll kept in the Sanctuary” [*Zohar, Parashat Naso* 134a], and among all the biblical books, whether we are speaking of the *Hummash* specifically or of the *Tanakh* as a whole, the book of *Va-Yikra* has had the least good fortune.

First of all, Jews themselves have often misunderstood the idea behind the sacrifices. They believed that, by bringing a sacrifice, a man could absolve himself of all of his sins, and so there was no need for him to lead an honest, religious, and moral personal life. This worldview was fiercely critiqued by the prophets, and it contributed to the destruction of the Temple. When Jeremiah, for instance, claims, “For when I freed your fathers from the land of Egypt, I did not speak with them or command them concerning burnt offerings or sacrifice” [Jer. 7:22], he does not mean that the Torah contains no commandments concerning sacrifices—just that offering a sacrifice is not the main avenue for encountering the Master of the Universe. The chief task of man is to cultivate personal integrity, purity, and sanctity. Sacrifices serve only as “delicacies accompanying the meal.” Only once one’s entire life is organized according to the main principles of Judaism does the Torah then demand that one bring sacrifices as well. But if an individual’s life is stained with blood and vice, no sacrifice

⁹ The *parashah* for the week of the convention was in fact *Be-Midbar*.

can help him. Jeremiah himself comes to the same conclusion: “But this is what I commanded them: Do My bidding, that I may be your God and you may be My people; walk only in the way that I enjoin upon you, that it may go well with you” [ibid. 7:23].

However, as already mentioned, many subgroups of the Jewish people have, at certain points in history, misunderstood the quintessence of the book of *Va-Yikra*. Immediately following the *parashiyyot* that treat the topic of sacrifices appear such commandments as “You shall be holy” [Lev. 19:2], those concerning forbidden unions [ibid. ch. 18, 20:10-24] and forbidden foods [ibid. ch. 11], “You shall not steal” [ibid. 19:11], “You shall not deal deceitfully” [ibid.], “You shall not swear falsely by My name” [ibid. 19:12], “You shall not take vengeance or bear a grudge” [ibid. 19:18], et cetera. We have, in many instances, failed to take notice of these commands and prohibitions, instead focusing exclusively on the sacrifices and the *avodah* in the Temple, and it is for this reason that it was destroyed. This is another form of bad luck for a book: *Va-Yikra* has not been viewed in its entirety. There were times when Jews saw only the first two *parashiyyot* of *Va-Yikra*. From *Shemini* on—*Aharei Mot*, *Kedoshim*, *Emor*, *Be-Har*, *Be-Hukkotai*—we find discussions of personal sanctity, forbidden foods, and forbidden unions, eventually leading to topics concerning social ethics and morality. And the penultimate *parashah*, *Be-Har*, culminates with the profound philosophical principle that “the land is Mine; you are but strangers resident with Me” [ibid. 25:23]. Jews have failed to see the book as a unified whole; they have only seen it for its parts.

At the same time, the book has had no *mazel* among non-Jews either. It has been assailed by both internal and external antisemites. Already in the days of the Hasmoneans—the first

ideological conflict took place in the Hasmonean period, between the Hellenized Syrians, whom we refer to as “the Greek Empire,” and the Jews—they immediately attacked the institution of the sacrifices. The *baraita* at the end of *Sukkah* [56b] reports:

There was an incident involving Miriam bat Bilgah, who apostatized and went and married a soldier serving in the army of the Greek kings. When the Greeks entered the Sanctuary, she kicked with her sandal on the Altar and said, “Wolf, wolf, for how long will you continue consuming the property of the Jewish people but not standing with them in their hour of need?”

In other words, Jews themselves have misunderstood the idea behind the sacrifices. Not only have they failed to see the second half of the book of *Va-Yikra*, they have often misconstrued the first half—what the Torah intends by requiring the offering of sacrifices.

Furthermore, when the early Christians began maligning Judaism, they directed their first salvo at the Temple and its offerings. To this day, one can find statements in the New Testament about the Temple in Jerusalem and its *kohanim* that are shot through with pathological hatred. Anyone who is even minimally familiar with Christian Gnosis and Patristic literature knows how much disgust they exhibit toward the book of *Va-Yikra*, i.e., *Torat Kohanim*.

And, gentlemen, this same tradition of loathing for *Torat Kohanim*, which began already in the Hasmonean period and grew stronger and more intense with the onset of the Christian era, was not broken in modern times. The terminology has certainly changed, the form is different, but the content remains the same. Modern atheistic and agnostic biblical criticism,

which, to our sorrow, has been transferred wholesale to the Land of Israel—anyone who has read about the recent Bible conference¹⁰ or has seen the *Entsiklopedyah Mikra'it*¹¹ knows what I mean—in reality continues the work of the Christian monks of yore. You know that their entire assault is especially directed against the book of *Va-Yikra* and what they call “The Priestly Code.” For example, they consider *Va-Yikra* to be the latest book of the *Hummash*; according to them, it was composed after the Return to Zion by a gang of *kohanim* who wished to impose upon the people a priestly aristocracy, as well as a *Weltanschauung* that was dour and austere, that was pervaded by fear of sin, that devalued enjoying life to the fullest, and so on and so forth.

Also characteristic is the fact that, beginning one hundred fifty years ago with the advent of the Reform movement and continuing into the present, Jews interested in introducing changes into Jewish practice generally start by reforming the sacrifices, which they expunge from the *siddur*. All of this forms a long tradition stretching from the Hellenized apostates through the early Christians down to the modern Bible critics and those who seek to reform and modernize Judaism.

¹⁰ The third annual national Bible conference, organized by the Israel Society for Biblical Research, was held on March 28-31, 1955 in Jerusalem. Over the convention's four days, about 1,700 participants listened to forty-four lectures on topics relating to the period extending from the time of the Patriarchs to the beginning of the Israelite monarchy. See Anon., “44 Hartsa'ot ba-Kinnus le-Heker ha-Tanakh,” *Ha-Tsofeh* (April 4, 1955): 3.

¹¹ The *Entsiklopedyah Mikra'it*, initially under the editorship of Eleazar Lipa Sukenik and Umberto Cassuto, was published by Mossad Bialik from 1950 to 1982. By 1954, the first two volumes had appeared.

Traditional Faithfulness to the Book of *Va-Yikra*

However, for all of the attacks, slander, misunderstandings, and intentional or unintentional falsifications of the book of *Va-Yikra*, the Jewish collective that remained faithful to our tradition exhibited only more love for this divine book, invested still more effort and energy in understanding it, and demonstrated even more loyalty toward *Torat Kohanim*—more loyalty than toward other books. We Jews have always applied the old method of Rabbi Akiva: “For every thorn encountered, mounds and mounds of *halakhot*” [*Menahot* 29b]—the greater the number of thorns and hurdles lying on the road, the more self-sacrifice, the more *halakhot*, the more Torah learning and book writing. As a result, since the book of *Va-Yikra* has encountered many thorns on its path, from the days of the Hasmoneans to the present, we have demonstrated more creativity specifically in relation to *Va-Yikra* than vis-à-vis other parts of the Torah. This is true historically, not simply homiletically.

Let us take the Gemara as an example. We know that the scholars of the Babylonian Talmud learned all six Orders of the Mishnah, but they only codified and published the Gemara on those tractates whose contents are applicable nowadays and in the Diaspora. For instance, there is no Gemara on the Order of *Tohorot*, except for Tractate *Niddah*. Regarding the Order of *Zera'im*, there is the Gemara of the Jerusalem Talmud, because the Jerusalem Talmud was interested in *Zera'im*, but the Babylonia Talmud has no Gemara on *Zera'im*, except for Tractate *Berakhot*. Despite this pattern, on the Order of *Kodoshim*—Tractates *Zevahim*, *Menahot*, *Bekhorot*, *Me'ilah*, *Tamid*—there is Gemara on a very large scale, almost more than on the Orders of *Mo'ed* and *Nashim*.

With respect to *midreshei halakhah*, the majority, like the *Sifrei* and the *Mekhilta*, were composed in the Land of Israel; in Babylonia, only one *midrash halakhah* was compiled: the *Sifra de-Bei Rav*, focusing specifically on *Torat Kohanim*.

As regards the *rishonim*, neither Rashi nor the *Tosafot* commented on the Mishnah of *Zera'im* or *Tohorot*. We have glosses by Rash, one of the *Ba'alei ha-Tosafot*, but his was not a collective work, and there is no Rashi commentary whatsoever on the Mishnah of those Orders, only on the Gemara [Tractates *Berakhot* and *Niddah*]. By contrast, both Rashi and the *Tosafot* elucidated the tractates of *Kodoshim* in the same way, and commented with the same attention to detail, as if they had been asked whether one must pray the *Shemoneh Esreh* twice at *Ma'ariv* on the evening following *Rosh Hodesh* if one forgot to include *Ya'aleh ve-Yavo* at *Minhah* that day. Ra'avad and Rash, too, did not comment on the *Sifrei* or the *Mekhilta* but rather on *Torat Kohanim* specifically.

Mishnah passages from *Kodoshim* were integrated into our *siddur*: you all know *Eizehu Mekoman* [*Zevahim*, ch. 5] quite well. The prayers in general, and *Musaf* in particular, express specifically our wish for, and faith in, the rebuilding of the Temple and the speedy restoration of the *avodah* to its proper place. Regarding *Musaf*, the *Tosafot* [to *Berakhot* 26a, s.v. *iba'ya lehu*] comment that the idea behind the *Musaf* service is not to request God's mercy, but to fulfill the verse "Instead of bulls we will pay [the offering of] our lips" [Hos. 14:3; see *Be-Midbar Rabbah* (Vilna ed.), *Parashat Korah* 18:21]. On Yom Kippur, the holiest day of the year, when Jews have much to say and pray for, the *avodah* is the central theme of *Musaf*. Even though today many of you do not know what to do with the *avodah*, at one time it was the central motif. Rav Hai Ga'on writes that "in

Baghdad, because [the *seder ha-avodah*] was precious to them, they would recite it at *Shaharit* as well.”¹² I would not institute that practice nowadays, but so says Rav Hai Ga’on. And so on and so forth.

Most remarkable of all is the fact that the old Jewish pedagogical curriculum, which was perhaps not particularly progressive, insisted that one must learn the book of *Va-Yikra* with small children. This is not mere custom but is rather found in a passage in the *Midrash Rabbah*: “Why do we begin teaching children from *Torat Kohanim*?” The *midrash*, it should be noted, is not making a recommendation here; instead, it is speaking of an established institution, a fact on the ground. “Why not start from *Be-Reshit*? The Holy Blessed One said: ‘Since the sacrifices are pure and the children are pure, let the pure ones come and busy themselves with that which is pure’” [*Va-Yikra Rabbah* (Margulies ed.), *Parashat Tsav* 7:3].

In short, *Va-Yikra* has become, for us, the book that represents and embodies the Written Torah as well as the Oral Torah. In fact, the thirteen principles by which the Torah is expounded, as you all well know, form part of the introduction to the *Sifra de-Bei Rav*.

How beautiful are the Gemara’s words in *Berakhot* 18[a-b]: “Benaiah son of Jehoiada, from Kabzeel, was a brave soldier who performed great deeds. He killed the two [sons] of Ariel of Moab. Once, on a snowy day, he went down into a pit and killed a lion” [II Sam. 23:20]. What kind of distinction is that? *Hazal* explain: “He learned *Sifra de-Bei Rav*”—*Torat Kohanim*—“on a winter’s day.” The greatness of our Benaiah ben Jehoiadas, the

¹² B. M. Lewin (ed.), *Otsar ha-Ge’onim: Teshuvot Ge’onei Bavel u-*Peirushei*hem al pi Seder ha-Talmud*, vol. 6 (Jerusalem, 1934), 41 (sec. 121).

sages of Israel, consisted in their having had the incredible spiritual fortitude, strength of pure faith, and forward-looking vision that allowed them to learn the *Sifra de-Bei Rav* and delve into the laws of sacrifices and of the Temple; to yearn and pine for that glorious epoch “when the Sanctuary was still firm on its foundations [...] the *Kohen Gadol* would stand and serve [...] fortunate is the eye that saw all of this” [from the repetition of *Musaf* on Yom Kippur]; to hope and believe passionately, with every fiber of their being, that that splendor would shine once again!

All the Rabbi Johanan ben Zakkais, who, immediately following the destruction of the Temple, instituted ordinances commemorating the practices of the Temple era; all the Rabbi Akivas, who said at the *Pesah Seder*, “So, too, may the Lord our God and the God of our fathers sustain us so that we might reach other, upcoming holidays and festivals in peace, rejoicing in the rebuilding of Your city and celebrating Your *avodah*; and there we will eat from the sacrifices and the *Pesah* offerings whose blood will be sprinkled on the wall of Your Altar in accordance with Your wishes” [*Pesahim* 116b and the text of the Haggadah]; all those who hoped and waited for the messiah and studied the *Sifra de-Bei Rav*, representing the Jewish faith in the future, and recited, “I believe with perfect faith in the coming of the messiah”...

When did they do all of that? “On a winter’s day”—on a dark, cloudy, rainy day, when Jewish hopes had worn thin and appeared entirely paradoxical, patently absurd, completely unrealistic, and removed from real life; when the whole of historical reality mocked and scoffed at this *Weltanschauung*, at the *Sifra de-Bei Rav*, at the concept of yearning for a land, awaiting a messiah, and hoping for a Temple that people

believed could not possibly come—at the great messianic idea and vision for the End of Days. “Benaiah son of Jehoiada, from Kabzeel, was a brave soldier [...] He killed the two [sons] of Ariel of Moab”—he defeated all the historical forces and enemies that sought to attack him. Do you know why he won? Because “once, on a snowy day, he went down into a pit and killed a lion”—he had the courage to learn “the *Sifra de-Bei Rav* on a winter’s day.”

I said earlier, gentlemen, that the book of *Va-Yikra* must be taken as a unified whole: the sacrifices cannot be separated from the other *parashiyot*, and vice versa. The book of *Va-Yikra* is called *Torat Kohanim*. It would appear, then, that, in truth, the task of actualizing the book of *Va-Yikra*—the *Sifra de-Bei Rav*—“on a winter’s day” lies in the hands of the *kohanim*. They are responsible for it. And they are responsible not only for the sacrifices, not only for the laws that can be found in *Parashiyot Va-Yikra*, *Tsav*, and the first half of *Shemini*, but for the entire book. The *kohen* is the representative charged with the realization of the entire Oral Torah, as well as the Written Torah, as symbolized by the book of *Va-Yikra*. That is why it is called *Torat Kohanim*. The *kohen* must know how to actualize and implement the *Sifra de-Bei Rav*.

It is for that reason that, especially in the period between the two Temples, the prophets were continually involved in teaching, asking, and debating the *kohanim* regarding the laws of the Temple and a number of other issues. The prophets knew that the First Temple was destroyed on account of the Jews having split the book of *Va-Yikra* in two, which was the fault of the *kohanim*. And if, they reasoned, the Second Temple were meant to last and endure and the Jews were meant to be able to dwell securely, then the *kohanim* would have to know their own tasks and responsibilities and the duties of the nation.

Ezekiel's Program for the *Kohen*—and the Rabbi

In truth, there were three prophets who occupied themselves with the *kohanim*—Ezekiel, Haggai, and Malachi—but a detailed program was given only by Ezekiel, and it is on that program that I would like now to focus. For Rambam says that, when we speak of *kohanim*, “None of this is limited to the Tribe of Levi, but rather any person in the world whose spirit moves him” can become a *kohen* [*Mishneh Torah, Hilkhot Shemittah ve-Yovel* 13:13].

Ezekiel said: “But the levitical priests descended from Zadok [...] they shall approach Me to minister to Me; they shall stand before Me to offer Me fat and blood—declares the Lord God” [Ezek. 44:15].¹³ The first function and task of the *kohanim* is performing the *avodah* in the Temple. But one would be gravely mistaken to believe, as did the *kohanim* in the times of the First Temple, that the *kohen's* duties are limited to the Temple. If that were true, then it would be easy for the masses to get the impression that the Temple is the most central institution in Judaism and that what one does in one's personal life, outside of the Temple walls, is immaterial; what is important, from the Torah's perspective, is coming to the Temple to bring a sacrifice. And such a misimpression would spell the end of Judaism. The *kohanim* of the First Temple period were blameworthy because they sought only to sustain the institution of the Temple. This is an issue that has present-day analogs as well. Contemporary Judaism's problem is not the synagogue. I am not saying that it is not important—the Temple

¹³ Appropriately, this verse and vv. 23-24 below appear in the *haftarah* for one of the *parashiyot* of the book of *Va-Yikra*, namely, *Parashat Emor*.

was certainly important and holy, but it in itself was not the problem. Rather, if a rabbi nowadays conceives of his responsibilities as limited to what happens within the four walls of the synagogue, he is making the same mistake that the *kohanim* made in the times of the First Temple.

That is why Ezekiel came along and outlined an additional program. This is the most important program, and it is this program that I will here analyze. Aside from “they shall approach Me to minister to Me,” he says: “They shall declare to My people what is sacred and what is profane, and inform them what is clean and what is unclean. In lawsuits, too, it is they who shall act as judges; they shall decide them in accordance with My rules. They shall preserve My teachings and My laws regarding all My fixed occasions; and they shall maintain the sanctity of My sabbaths” [ibid. 44:23-24]. There are, in other words, five principles of the *kehunnah*, in addition to serving in the Temple. The first principle: “They shall declare to My people what is sacred and what is profane.” The second: “and inform them what is clean and what is unclean.” The third: “In lawsuits, too, it is they who shall act as judges; they shall decide them in accordance with My rules.” The fourth: “They shall preserve My teachings and My laws regarding all My fixed occasions.” The fifth: “and they shall maintain the sanctity of My sabbaths.”

The First Principle: Teaching Torah to the Masses

It is interesting to note that Malachi [2:7], too, listed Ezekiel’s first two principles, although he began with the second: “For the lips of a priest guard knowledge [*da’at*]” corresponds to “and inform them [*yodi’um*] what is clean and what is unclean,” while “and men seek rulings [*Torah*] from his mouth” corresponds to “they shall declare [*yoru*] to My people what is sacred and what

is profane”—*Torah* and *yoru* come from the same root. Ezekiel began with *yoru* and concluded with *yodi’um*, i.e., *da’at*; Malachi began with *da’at* and concluded with *Torah*.

Let us first focus on the principle of “and inform them what is clean and what is unclean,” which is second on Ezekiel’s list but first on Malachi’s: “For the lips of a priest guard knowledge.” The task of a *kohen* is to learn and to disseminate Torah among the people: “and inform them what is clean and what is unclean.” You might ask: how do I know that a *kohen* must himself learn; after all, the verse says only *yodi’um*? The answer is simple: if he does not learn himself, he cannot teach others; if “Rabbi [Judah the Prince] did not teach it,” how can Rabbi Hiyya know it [*Eirubin* 92a, *Yevamot* 43a]?

I have already mentioned many times that, in Judaism, the great divine flavor of religious experience is connected with *da’at*, with knowledge of the Torah. We Jews have certainly attributed much value to the emotional side of the religious experience, to feeling. And I wish to tell you that what all the modern writers attempt to claim about emotional experience—or, as they put it, “religious emotionalism”—having entered Judaism via Hasidism is completely incorrect. It is possible that Hasidism highlighted it, but we knew about emotional experience already before the advent of Hasidism—Rambam speaks about it frequently, as do Rabbeinu Bahya and *Hazal*. It seems to me that it is actually found already in a verse: “Because you would not serve the Lord your God in joy and gladness” [Deut. 28:47]. If so, must one cite the Ba’al Shem Tov? It is an explicit verse in *Devarim*! We have certainly paid attention to the emotional side of Judaism, ecstasy, the joy accompanying the performance of commandments, the feeling of satisfaction and tranquility, and so on.

However, we Jews have always warned that, without deep knowledge of the Torah, a Jew can experience neither the full splendor of a commandment nor the beauty of serving God. It is for this reason that the *halakhah* plays such a prominent role in our religious lives. Not only is it a practical discipline, “since study brings one to observance” [*Kiddushin* 40b], such that one must, at a very basic level, know the laws—in America, one can call a rabbi up on the telephone and he will answer all of your questions!—but it is also a wellspring from which religious bliss can be drawn. I have noted before that while a Christian, for example, need know nothing in order to tap into a religious mentality and experience—certain ceremonies, like a church service accompanied by singing, music, and decorum, are sufficient to uplift him—Judaism cannot satisfy the human need for the Master of the Universe, spiritual redemption, or religious depth if it does not go hand in hand with the *halakhah*.

Of course, this makes our path difficult, very difficult. That is why we have no response when someone comes to us and says, “Teach me the entire Torah while I am standing on one foot” [*Shabbat* 31a] and I will fulfill it. We cannot send someone to the synagogue as though simply spending Yom Kippur there is an expression of authentic Judaism. The Torah’s “measure is longer than the earth and broader than the sea” [Job 11:9]! One cannot transmit it on one foot. First of all, we have very, very few ceremonies in our religion, while that which is halakhic, formal, and abstract is highly prominent. A religious act that is not founded on Torah knowledge is completely empty. Moreover, every religious deed or action in Judaism is logically and systematically constructed. The intellectual often arouses the emotional. Every component has its halakhic reasoning, every detail is logically-halakhically substantiated, and every

movement is dictated by a halakhic formula, just like a machine: just as a machine translates a mathematical formula, so, too, every commandment translates a halakhic formula. I wish to tell you, and I do not mean this as a joke, that when I taught *Kirah* [*Shabbat*, ch. 3], the laws of insulating food on Shabbat, in my class in *yeshivah*, one time we took as an example the case of a woman returning *cholent* to a heat source on Shabbat. This should be simple, but in order to return *cholent* on Shabbat, one must know half the *Shulhan Arukh*! You may not have realized this, but so has it been ingrained into Talmudic instincts.

I wish to ask you: what kind of form can even the Seder, with all of its flowery language and ceremonies, take, if one does not know the most elementary halakhic principles of *leil shimmurim*? If one does not know, for example, which commandments of the Seder night are biblical in nature and which rabbinic? What is *haroset*—according to the *halakhah*, not according to homiletics? (Its homiletical meaning is worthless.) What are the components of the Haggadah? Which portions of the Haggadah are of primary and which are of secondary significance? What is the difference between *sippur yetsi'at Mitsrayim* and *zekhirat yetsi'at Mitsrayim*? Why is *Hallel* divided in half? Why were the first two chapters in particular chosen to be separated, so that the second section of *Hallel* begins with “Not to us” [Ps. 115:1]? Why do we recite *Nishmat* specifically? What is the halakhic concept behind the four cups? (I do not mean the connection to the four expressions of redemption [Ex. 6:6-7].) Is there a special quality to these acts of drinking, or are we simply reciting four Haggadah blessings over four cups of wine? What is *matsah shemurah*? What is *korekh* in the eyes of the *halakhah*? What does it mean “This is a memorial to what Hillel did in the times of the Temple”

[*Pesahim* 115a and the text of the Haggadah]; what did Hillel institute here? And so on and so forth.

Furthermore, I wish to say that I cannot fathom what sort of experience one can have, even on Rosh Hashanah, with all of its ceremonies, homilies, flowery language, *piyyutim*, and talk of universalism: “And so, place fear of You within all of Your creations [...] so that every animate thing might know that You animated it” [from the third blessing of the *Amidah* recited on the *Yamim Nora'im*][—]I am familiar with all of this; do not think I am such an ignoramus—if one does not know why we blow the sequence of *shofar* blasts *tashra”t*, *tasha”t*, *tara”t*; why we divide the blasts into those recited while sitting and those recited while standing; why we blow a total of one hundred blasts; what *yom ha-zikkaron* means and why we do not simply refer to the holiday as *rosh ha-shanah* in our prayers; and what *kedushah arikhta* or *yoma arikhta* means. Et cetera et cetera.

The Jewish *Weltanschauung* is reflected in the *halakhah*, and the reason is simple. People talk about Jewish philosophy. Correct, we certainly have a philosophy, a worldview. The only question is where to find it. We know quite well that there is uranium out there, and everyone walks around looking for it with a Geiger counter. We have a Geiger counter meant to help us detect Jewish philosophy, but if it does not click several times, we sense nothing. When we traverse fields awash in philosophical ideas, we find Jewish philosophy, too. But where does that lead? It leads us to “cisterns, broken cisterns” [Jer. 2:13], or to secondary sources that have no meaning. By contrast, all of the principles of Judaism are reflected in the *halakhah*. To me, speaking about Judaism without knowing the *halakhah* would be like speaking about natural philosophy without knowing the principles of mathematical physics.

And I must tell you that I read much of the published literature, both foolish and enlightening. I learn much more from the foolish material than from the enlightening, because from foolishness I learn what not to do; from the enlightening, I learn nothing. You know that according to Rambam the purpose of many commandments is to teach you not what to do but what *not* to do. Rambam holds that the sacrifices are not meant as an end in themselves but as a means of avoiding certain things [like idolatry; see *Moreh Nevukhim* 3:32]. The negative function is the important one.

There is literature being published with the aim of explaining to the Jewish layman what Shabbat, *kashrut*, and *tohorat ha-mishpahah* are. The intention is laudable, but the quality of this literature is very poor. What is Shabbat? Shabbat means one lays a white tablecloth on the table. I once heard a righteous woman, whose intentions were pure, enthusiastically relating how wonderful and splendid Shabbat is, how it can enrich a person's soul, if one lays "a snow-white tablecloth on the table." And the "sparkling silver candelabra" ... And above all they begin describing how "the pretty hostess" covers her eyes and blesses the candles. Believe me that I have heard such talk: I have heard it from women; I have heard it from rabbis, have no doubts about that; I have seen it written in the literature—and it makes me want to faint. This is Judaism?! "Can this be Naomi?" [Ruth 1:20]! This is how you would seek to impress the American Jew and bring him closer to Judaism?! Not only is this not Judaism, but those who produce such literature do not understand the American mentality. They underestimate the intelligence of the American layman. This is one of our greatest problems: we underestimate the practical smarts and intelligence of the average American layman.

First of all, gentlemen, I wish to tell you that if Judaism is to be represented via sentimentalism or cheap sentiments and ceremonies, then we have absolutely nothing to offer. Religious sentimentalism and ceremonies are not exclusively our province; all denominations have them, and many have them to a much greater degree than we do.

Second, American laymen, especially the youth, are maturing culturally. America is now undergoing a period of intellectual maturation. The superficial approach to life, the entire technological-pragmatic conception of life, is disappearing in this country. Anyone familiar with the current trends in philosophy and metaphysics knows this. America has now adopted a more metaphysical approach to life. She seeks not that which lies on the surface, but rather that which is buried deep, deep in the crevices. We cannot bring the educated American layman—and in ten, fifteen, or twenty years, the vast majority of American laymen will have academic training—back to Judaism with sentiments, with white tablecloths and silver candelabras! In the meanwhile, this is all we offer him. I say openly that I cannot understand the decision to publish much of what is printed. It is absolutely beneath our dignity to put out such literature.

Third, I wish to tell you that in America, ceremony has become very cheap. You know why? Because the greatest master of ceremony is Hollywood. If a Jew wants ceremony, he can turn on the television and see as much ceremony as he wants. If we seek to satisfy the deepest, most complex, and most universal need of man—the need for the Divine—through ceremonies, we will all fail and will accomplish nothing.

“And inform them what is clean and what is unclean.” We must engage the public in theoretical learning. We must deepen

Judaism for the public, not water it down; by watering it down, we make our situation much worse, as though we are no different from other groups.

You might ask: how should we go about teaching the public? I will tell you. First of all, never underestimate your audience. (My mistake is that I overestimate my audience.) I believe that if five or six hundred Jews will sit in the synagogue to listen to a sermon of mine for an hour, then I must spend two days preparing it. Do not think that you can just speak to your audience about whatever you want and whatever occurs to you. That is number one.

Number two, learn Torah with Jews. You might ask: what kind of Torah? First of all, Torah means learning text: the *Hummash*, Rashi, *aggadah*, Mishnah, *Ein Ya'akov*. People make clubs for “great books.” What are “great books”? Are Rambam’s works “great books”? Whatever Ludwig Lewisohn writes in *The American Jew*,¹⁴ why should it concern me? Ludwig Lewisohn can lecture you about Judaism no more than I can lecture others about China. I know him! Should a rabbi really be spending his time sitting with a group and discussing what Ludwig Lewisohn has to say about Judaism? There are others who know more about Judaism than Ludwig Lewisohn or, I don’t know, Max Brod, or even Dr. [Franz] Rosenzweig. Instead of that, a rabbi should host a study group dedicated to learning the *Hummash* with Rashi—but in a serious way, not just translating. If all one seeks to do is render Rashi into English, then there is no need

¹⁴ Ludwig Lewisohn, *The American Jew, Character and Destiny* (New York: Farrar, Straus, 1950).

for a rabbi, as there is already a Soncino translation.¹⁵ Show them what it says between the lines! An entire world of meaning emerges when one learns the *Hummash* with Rashi. If only the *yeshivah* would, on occasion, take some time out from delving into the *Shakh* commentary to thoroughly analyze with our pupils a passage of the *Hummash* with the comments of Rashi and Ramban, it might succeed in transmitting more knowledge that is even more important for the student. The *Shakh* is important, too, but the *Hummash* with Rashi is fundamental.

But I wish to say something else. Take the sciences as an example. A science is, in truth, an esoteric discipline. It is a discipline practiced by a particular group, and it often has its own terminology and jargon. The average layman does not understand much of it. Nevertheless, scientists have found ways of popularizing their scholarship, including the most complicated theories. Experts have popularized philosophy, mathematics, physics, chemistry—everything. Never mind the humanities; even the natural sciences can be popularized. How so? In order to familiarize the layman, the broader public, with the principles of the sciences, one must find popular language that is understandable by and accessible to everyone.

¹⁵ While the Soncino Press in particular never printed a translation of Rashi into English, there were at least two other publishers that had issued such translations by the mid-1950s. See *Pentateuch with Targum Onkelos, Haphtaroth and Prayers for Sabbath and Rashi's Commentary*, trans. Morris Rosenbaum and Abraham M. Silbermann (London: Shapiro, Vallentine and Co., 1929-1934; New York: Hebrew Publishing Co., 1934), and *The Pentateuch and Rashi's Commentary: A Linear Translation into English*, trans. Abraham Ben-Isaiah and Benjamin Sharfman (Brooklyn: S. S. and R. Pub. Co., 1949-1950).

For us, when it comes to the *halakhah*, we have not yet succeeded in doing this. Either we speak with our thumbs—as if by using the thumb one can make oneself understood—or we fail to explain the principles of the *halakhah* to the layman. If a rabbi were to learn with his community, or to speak in his sermons about, *hilkhot tefillah*—e.g., outlining and explaining the halakhic structure of prayer with its three introductory, three concluding, and middle blessings; delineating the content of the *Shema*, including the acceptance of the yoke of Heaven and of the yoke of the commandments; demonstrating that prayer is not simply the Jewish equivalent of a church service or a ceremony, but rather follows certain logical rules and principles—he would avoid many problems down the road. The fact that the public now demands reforms in the service and in the synagogue, as well as all manner of spiritual ceremonies, is the result of ignorance. And if the public is ignorant, it is our fault. We have not given them the tools to discern “what is clean and what is unclean”! Jewish prayer is unique, *sui generis*, having its own distinct features, and cannot be equated to—*le-havdil*—a Christian prayer service. If the public would understand this—I believe that the American public has logic and common sense—it would not behave so wildly. The problem is that we have not elucidated these matters sufficiently.

We have not elucidated *hilkhot Shabbat*. One time a rabbi ordained by our *yeshivah*—if he is here, please tell me—reported that he had difficulty gathering a *minyan* to pray *Ma’ariv* at the close of Shabbat. Jews want to pray *Ma’ariv* early; they do not want to dally. After waiting there for thirty minutes, the rabbi decided to explain to them in popular terms the concept of *bein ha-shemashot*. Since then, they have had no

issue waiting to pray *Ma'ariv*. Why is that? Because they now understand what he had been talking about. When you do not understand, you must protest!

I wish to tell you that, in truth, this means only one thing: that this is the task of the *yeshivah*. The *yeshivah* must teach its students how to popularize the *halakhah*. Because at the end of the day, we follow the *halakhah*—it is our port! Take away the *halakhah* and we have nothing to go on. The Conservative and Reform clergymen have “Jewish philosophy” just like we do, and if you speak of Jewish philosophy in the absence of the *halakhah*, I do not know to what extent you can draw a true distinction between Jewish and non-Jewish philosophy. The *halakhah* is our central focus, motto, and ideal; we must be able to popularize and explain it. And once Jews begin to demand an understanding of the principles of the *halakhah*—they need not all understand, so long as in every synagogue ten men will know and understand some of the basics—they will help the rabbi and support him, which will solve many problems.¹⁶

We can only explain something when we have the terminology required to do so, and that is our trouble, our misfortune. We have not trained ourselves in how to popularize and disseminate the *halakhah* to the masses. (I can tell you from my own experience that one can popularize the *halakhah* just as well as one can popularize philosophy or physics. One can make it just as interesting as a sermon built on an aggadic statement of *Hazal*.) We have not done so until this point, and I suggest that perhaps this is the fault of the *yeshivah*. I believe that the *yeshivah* must teach its ordines not only how to learn

¹⁶ The audio cuts out briefly at this point.

on their own but how to convey to others what Torah is—“and inform them what is clean and what is unclean.”

The Second Principle: Halakhic Decision Making

Second, gentlemen: “They shall declare [*yoru*] to My people what is sacred and what is profane.” The second task of a *kohen* is *hora’ah*: “For the lips of a priest guard knowledge, and men seek rulings [*Torah*] from his mouth.” *Torah* and *hora’ah* express the same idea. What is *hora’ah*? *Hora’ah* means practical *halakhah*. Anyone familiar with the history of the *halakhah* knows quite well that a great distance separates pure *halakhah* from practical *halakhah*, just as is the case with theoretical physics and engineering. All of the theoretical principles of atomic energy were known to the scientific community in the ’30s, several years before the outbreak of the Second World War, but a whole team of scientists and engineers needed to be organized in order to translate theory into practice. In a similar vein, it is certainly possible for a person to be capable of giving a good *shi’ur* without knowing, when it comes to deciding halakhic queries, where to begin or what to say. I have known many *gedolim* who were not *ba’alei hora’ah*. In truth, *hora’ah* is a distinct field of expertise. One can, of course, be a theoretical *lamdan*, and one must be a theoretical *lamdan*. One can still be a *lamdan* without being a *ba’al hora’ah*, but it is difficult to be a *ba’al hora’ah* without being a *lamdan* as well.

But in addition to *lomdes*, one must have something else: a certain intuition. One must have a sense for how a *halakhah* applies in a particular case and also grasp well the circumstances in which a given *halakhah* is relevant. A person can learn all of *hilkhot terefot* in three months, but when he gets

his first query about a needle found in the gizzard or about a broken foot, he does not know where to look or even what it is. I do not know if I can now tell you tales out of *heder*—*Hazal* say that a person was once thrown out of *heder* for having spoken twenty-two-year-old gossip [*Sanhedrin* 31a]—but alright: when the candidates for ordination come to me for their exams, many of them know the comments of the *Tosafot*, *Shakh*, and *Taz* very, very well, and sometimes I wonder how they can remember so well—I myself do not know the material as well as they do! But this is all provided one asks them what the sources say; if one presents the case of a woman who calls on the telephone inquiring what to do about a spoon that fell into a pot, they have no idea. And this is just the first question—they do not even know the answer to the first question!

And, gentlemen, we make a grave mistake, and I want you to remember this mistake: we assume that American rabbis do not need the skills of *hora'ah* because they never have occasion to rule on halakhic queries. But I am here to tell you that we have here in America weightier and more complicated queries than those posed to rabbis in Lithuania and Poland a century ago. Perhaps we have fewer routine *hora'ah* questions such as, for example, questions about *ta'arovot*, *basar be-halav*, and *terefot*. By the same token, though, questions arise in America that in former times came up very seldom, if at all—questions that are extremely complex and unique.

Once upon a time, when there was a question about a *get*, an *agunah*, a *giyyoret*, or *issurei kahal*, the question would be directed to, for example, Rabbi Isaac Elhanan [Spektor] or another *gadol* who was recognized at the time as an arbiter of Jewish law. Then, Rabbi Isaac Elhanan or the *Malbushei Yom Tov* [Rabbi Yom Tov Lipman ha-Kohen Baslavsky] or the *Oneg Yom*

Tov [Rabbi Raphael Yom Tov Lipman Heilpern] would sit on the matter for a week: sitting and writing and erasing and writing and looking and searching. In short, when the *teshuvah* was ready, he would add at the end: “Still, I would not be so brazen as to rule definitively on this *halakhah*, for who am I to decide the law on the side of one or the other of these great authorities? Only if one of the other arbiters agrees with me, then perhaps I can join him.” You will find such language in all of the *teshuvot*. Rabbi Isaac Elhanan would compose the *teshuvah* and then send it to Rabbi Joseph Ber [Soloveichik] or Netsiv [Rabbi Naphtali Zevi Judah Berlin], and then the process would start over—just like today they test the Salk vaccine [against polio] fifty times, and then they start all over again from the beginning. Only once Rabbi Isaac Elhanan or Netsiv had added a third master to the group—three is better—and they had all agreed to rule either leniently or stringently would the question actually be decided.

Today, one encounters questions regarding *gerut*, *mamzerut*, *issurei kehunnah*, *issurei kahal*, clarifying personal status, sexual matters, *hazakot*, *kavua*, uncertainty if someone is Jewish or not—today, there is almost no difference, so who knows?—a child left in a city whose majority is non-Jewish and whose minority is Jewish, or vice versa [*Makhshirin* 2:7]—these are all questions that I myself have received, on the telephone no less! And when rabbis get a question on the telephone, many are afraid to respond that “I need to look into this,” because they are concerned that the person asking will say that “the rabbi is not a scholar!” So they wind up deciding questions, I tell you, of the utmost gravity, and which can have an effect on generations to come—and all this on the telephone!

There is a common misconception that all questions must be decided. Decided? I know that I am the chairman of the

[Rabbinical Council of America's] Va'ad Halacha, and so I have no choice here; here I am subject to the authority of [RCA President] Rabbi [David B.] Hollander. First of all, I can lose my job—strike that! Alright, but I will break discipline.

I read in the conference program that I received just now that someone spoke to you here on “A Halachic Analysis of Artificial Insemination.”¹⁷ I do not know what was said; people can say what they want. But I must tell you that it is a difficult question, and I still do not know how to decide it. I believe that one can rule on one aspect of the question, namely, when the sperm come from the woman's own husband, but when they come from a third party, I still do not know what to say. I am well acquainted with all of the factors and considerations—this way, that way—but it is a very complicated, knotty issue. I cannot yet render a decision!

It helps that I have already received such questions. I will relate what happened to me a few weeks ago. It was a Sunday morning, about 7:00am or a quarter after, when the telephone rang. I picked up and said, “Who is it?” She responded, “A woman from New York”—I will not say her name. I said, “What can I do for you?” She told me that she and her husband cannot have children, so she underwent artificial insemination using a third-party donor and now has a five-year-old son. She would like to repeat the procedure, but she was told that her son is a *mamzer*. She rushed to a Conservative clergyman—I do not wish to say whom—and he at least had the tact to tell her that he could not decide the question. He then sent her to another rabbi. In short, she eventually made her way to me. She asked

¹⁷ Rabbi Meyer Karlin of Congregation Ahavath Achim in Brooklyn spoke about this topic during the afternoon session of the second day of the conference, Tuesday, May 17.

me on the phone what she should do. I responded, “I don’t know, I don’t know.” Said she, “They say you’re a great scholar!” “I don’t know if I’m a great scholar or not, but I don’t know. I plead ignorance, I don’t know.” “Is my boy a *mamzer*?” I responded, “I don’t know.” What can I say? I have to be honest! “Shall I break the appointment with the doctor? I have an appointment with the doctor for tomorrow morning.” I said to her, “Yes, you’ll break the appointment with the doctor, and you’ll call me in four or five weeks; perhaps I’ll have an answer for you.” Whether or not I will, I do not know.

It is hard for me; “woe is me from my Creator and woe is me from my inclination” [*Berakhot* 61a]. She already has a son. I am quite familiar with all the various discussions of the issue, but it is difficult to rule on. If I were to simply decide all questions straightaway, that would be foolish. People often blame the Chief Rabbinate of Israel for not ruling on halakhic queries. I know which questions can be resolved. I am not afraid—I am not someone who is wary of *hora’ah*. If I think an issue is clear, it is clear; I am not afraid of what others will say. But there are matters that I have no clarity on and therefore do not decide. In these cases, there are good arguments to be made on both sides. If a question about *Ya’aleh ve-Yavo* comes my way, I can rule leniently, but if it is a question regarding *mamzerut*, *issurei kehunnah*, or the clarification of conversion status, I cannot rule leniently, because I myself am not sure. Once, you know, Rabbi Johanan ben Zakkai said that he saw two paths before him, one leading to Gehenna and the other to the Garden of Eden, “and I do not know down which path they will lead me” [*ibid.* 28b]. Rabbi Johanan ben Zakkai could certainly rule on halakhic questions. He could, at the very least, decide

more questions than the Va'ad Halacha together with its chairman. And yet, he, too, was sometimes uncertain!

You will have to forgive me for asking a question that has been weighing on me. I receive many, many queries from ordinees of the *yeshivah*. Sometimes, I am tempted to disconnect the telephone, rip it out, and cut the line, particularly since some have developed a mania for calling me to ask their questions. And yet, I do not receive enough. There are hundreds of ordinees of the *yeshivah*, and each one receives difficult questions. There is no community in America that does not have any questions. To whom do the ordinees pose these questions? Not me. I have asked other *rashei yeshivah*, and the same is true for them. And yet, I tell you, there arise some of the most complex, crazy, and paradoxical questions that life in paradoxical America can bring about! Why aren't enough of these questions being posed to the Va'ad Halacha at least?

I wish to ask you: tell me, do I, perhaps, not know the art of *hora'ah*, whereas many of you know better than me? Do others bow their heads to you? Otherwise, I do not know how to explain this. Why are there not hundreds of questions coming into the Va'ad Halacha, or to me personally, or to Rabbi [Moshe] Shatzkes, or to others? There must be such questions in America! And questions among Jews range from those regarding putting on the right shoe before the left, to proper mourning practices, to *issurei kehunnah* and *issurei kahal*! I do not know how to explain this.

And I tell you once again: it harms no one, and no one's crown will fall from his head, if a rabbi says that he does not know the answer. I remember that when I learned Gemara in my youth, I noticed that the Gemara would often say *teiku*. I once asked my father to explain this to me: "When the Master of

the Universe gave the Jews the Torah, He gave them *halakhot*. Why did He allow for instances of *teiku*? Why cannot all questions be decided? Why are there uncertainties that cannot be resolved?" My father answered, "A Jew must realize that there are things he will never understand. If a Jew knows that there can be a *teiku* in the *halakhah*, then he knows that there can be a *teiku* in other realms as well: in philosophy, in theology, in faith. The very foundation of faith is *teiku*. If a Jew does not assimilate the concept of *teiku*, he cannot be a true believer." Nowadays, rabbis need to have the courage and boldness to say, "Teiku." As they taught us in *heder*, *teiku* stands for: *Tishbi yetarets kushyot u-ba'yot*. The truth is that Abraham's greatest strength was that he asked no questions, even though he often did not and could not understand. This is what the verse means when it says: "And because he put his trust in the Lord, He reckoned it to his merit" [Gen. 15:6]. And the same is certainly true when it comes to the *halakhah*. One need not know it all; no one knows it all. In no field can one know it all, including the *halakhah*.

Second, gentlemen, there are certain questions that one must be quite a *lamdan* to even recognize as issues and that touch on several halakhic problems. I refer here to all the questions concerning public relations: relations with non-halakhic Jewish groups, as well as with the non-Jewish world in general, and with the Church in particular.¹⁸ The danger here is very great. The current pressure is tremendous. The neurotic fears of American Jews sometimes drive them to suicide, and the rabbi is overcome, hypnotized even, by public opinion.

¹⁸ The audio cuts out briefly at this point.

I will tell you something that happened to me several weeks ago. I was awakened in the morning, around 6:00am; I was still sleeping, but I have a phone right by my bed. Half-asleep, I lifted the receiver and asked, "Who is this?" Over the phone came the tremulous voice of an upstanding, respectable rabbi—truly, an ideal rabbi—from near Boston: "Rebbe, the monsignor of the town passed away yesterday..." "Nu, *barukh dayyan ha-emet*. May he have a bright hereafter!" "...and just now I received a telegram from the Catholic church inviting me to attend the High Mass that will be held in the church on the day of the funeral, which is not set yet. If I do not go, the synagogue president told me, there will be a pogrom in the town." And in the course of the ensuing discussion, the monsignor began to assume the stature of some kind of righteous Gentile.

Well, I was half-asleep, and the rabbi on the other end of the line was hysterical and very fearful, and despite the fact that he already knew my ruling on the matter—and my ruling, I tell you, is not based on the *Shulhan Arukh*. I know many decisions that are not recorded in the *Shulhan Arukh*. In certain instances, I take my cues from Jewish history, which serves as the greatest arbiter of such questions. "Go out and observe how the people behave" [*Berakhot* 45a, *Eiruvin* 14b]; see what Jews did in former times, going back generations. For me, that sort of ruling is more authoritative than Rambam, together with Ra'avad, Rabbeinu Tam, and all the *shi'urim* on the topic. In any case, I told him, "Call me tonight, I must look into this. It is certainly a fearful situation, a question of *pikkuah nefesh*, but there will be no pogrom in the immediate future; it will take a few days." In short, he called me again in the evening, and I discerned in his voice that he was still hysterical and upset. "I have not yet

decided; it is a difficult question: considerations of *darkhei shalom*, this way, that way. Call me again in two days.”

Two days later was Monday evening; I had to depart for New York on Tuesday, and the funeral was set for that day. The rabbi seemed to me a bit calmer. I said to him, “Listen: whatever it says in the *Shulhan Arukh*, *Shakh*, *Taz*, and *Beit Yosef*—I know all of that. If in the past Jews would have gone to the funeral of a monsignor in a Catholic church and attended a High Mass, you would not be taking a salary as a rabbi in your town today, and I myself would not be a *rosh yeshivah* at RIETS; everything would have collapsed. In fact, there would be no Jewish nation at all! Jews gave their lives under such circumstances!” If Jews in 1096, during the Crusades, or in 1648 [during the Chmielnicki Uprising] would have gone to a High Mass, they would have believed in the High Mass just as little as this rabbi. Would then the Jewish communities of Worms and Mainz not have been destroyed in 1096? Would that have saved us in modern times from 500,000 Jews being massacred in Ukraine? This tradition of martyrdom goes back all the way to Hannah and her seven sons! Afterward, I read him what it says in the *Shulhan Arukh* [*Yoreh De’ah* 157:3], that one may not in fact enter a house of idol worship. He did not go, there was no pogrom in the town, and the story had a happy ending.

Such questions do come up, however, gentlemen. Many of our young men fail the test, and I do not blame them. Public opinion is so hysterical that it overwhelms the rabbi, and the rabbi is alone, without support. And I wish to tell you, in truth, that in our *yeshivah*, as precious as it is, we do not inculcate the aforementioned ideology, outlook, and philosophy. We should not be focusing exclusively on explaining the *lomdes* of an irreversible *sefek-sefeika*—most rabbis, myself included, do not

have occasion to rule on an irreversible *sefek-sefeika*—if we are failing to instill the most important values and foundational principles of Judaism, as well as the entire approach that delineates when to compromise for the sake of *darkhei shalom*. We certainly, without a doubt, have a principle of *darkhei shalom*, but one must know how to apply it.

The verse says: “When my brother Esau meets you and asks you, ‘Whose man are you? Where are you going? And whose [animals] are these ahead of you?’” [Gen. 32:18]. Rabbi Eliezer Ashkenazi explains that if Esau asks you, “Whose man are you?” do not be overwhelmed by him. Whose man are you? Say: “Your servant Jacob’s” [ibid. 32:19]. If, however, he asks you, “And whose [animals] are these ahead of you?”—if the question has only to do with material possessions—say: “They are a gift sent to my lord Esau” [ibid.]. Jews once knew when to submit, but also when to answer proudly, “Your servant Jacob’s”—you cannot budge me from my place.¹⁹ We, too, face such challenges, although on a different level—not, Heaven forbid, on the level of *yehareg ve-al ya’avor*. Our challenges concern cultivating good relations with and respect among non-Jews. There are many ways to do so, and we must put in a good deal of effort toward achieving that goal. I believe that a Jew bears great responsibility for the entire Jewish people when he interacts with non-Jews, but he must also know where to draw the line. And to tell you the truth, these are questions that do not fall to *gedolim* to decide. Rather, the Jewish people, Jewish history, rule on these questions.

¹⁹ See Rabbi Ashkenazi’s *Gedolim Ma’asei Hashem* (Venice: Juan di Gara, 1583), 90a, as interpreted by Isaac Nissenbaum, “Ha-Hitbolelut,” in *Hagut Lev* (Vilna: L. Epel, 1911), 117-134, at pp. 125-126.

Let me give you an example. Rambam holds that when it comes to those commandments regarding which the rule is *ya'avov ve-al yehareg*—in other words, aside from the three cardinal sins—it is forbidden to give one's life voluntarily; anyone who does so is considered to have committed suicide [*Mishneh Torah, Hilkhot Yesodei ha-Torah* 5:4]. Ramban comes along and argues with him. At the end, he writes:

“But what will all of these explanations help us? Go out and observe how the people behave: how the four hundred children got up and drowned themselves in the sea when the oldest among them expounded the verse ‘I will retrieve from Bashan’ [Ps. 68:23; see *Gittin* 57b]. And if four hundred children could drown themselves in the sea in sanctification of God's Name when they did not have to”—these were sins that one is not obligated to give one's life to avoid, especially in the case of the girls, since “Esther was passive [when she committed adultery]” [*Sanhedrin* 74b]—“how can he rule that if one gives one's life under such circumstances one is considered to have committed suicide?”²⁰

Nu, who could learn better: Rambam or four hundred little girls? What kind of a challenge is Ramban posing to Rambam's opinion? But at the end of the day, four hundred little girls who jumped into the sea proved to be greater arbiters of Jewish law than Rambam and Ra'avad combined! Rambam and Ra'avad

²⁰ I have not succeeded in locating this passage in Ramban's writings, though the *Tosafot* famously adopted a position at odds with that of Rambam on the issue of voluntary martyrdom. For one discussion, among many, see Haym Soloveitchik, “Halakhah, Hermeneutics, and Martyrdom in Medieval Ashkenaz,” *The Jewish Quarterly Review* 94,1 (Winter 2004): 77-108; *ibid.* 94,2 (Spring 2004): 278-299.

ruled based on logic; here, however, the Jewish people and Jewish history decided! “Universally accepted practice” is a principle of halakhic decision making [e.g., *Berakhot* 22a]!

And here we must be very careful. You know that when it comes to distinguishing *bein kodesh le-hol*, Rabbi Jose says that *bein ha-shemashot* is “like the blink of an eye: this one [night] enters as this one [day] exits” [*Shabbat* 34b]. *Bein Yisra’el la-ammim* is the same way: the line is very thin. With one false step, one can cross over and find oneself on the other side. And so, in this connection, those who practice *hora’ah* must be very cautious. I would very strongly recommend that when such questions arise, they should be presented, I do not know to whom, but to a set committee, and every question should be individually considered. The deliberations must be undertaken with full knowledge of the *halakhah*, how the Jewish people have put it into practice—“we keep our fathers’ custom” [e.g., *Shabbat* 35a]—and the present-day historical realities. “They shall declare to My people what is sacred [*kodesh*] and what is profane [*hol*],” and the line between *kodesh* and *hol* is “like the blink of an eye: this one enters as this one exits.” One can very quickly profane the *kodesh*; experts must be consulted.

I repeat that this, too, is one of the tasks of the *yeshivah*. I believe that we must train scholars and geniuses, but I also think that the *yeshivah* was not founded exclusively for scholars and geniuses. The *yeshivah* must train and educate American rabbis, and educating rabbis means not only giving them theoretical knowledge but showing them how to apply their theoretical knowledge to the various situations and circumstances they will encounter. This is not just a sermon—I believe that this must be one of the tasks of the *yeshivah*. In our *yeshivah*, we learn well and we learn a lot; we have eminent

rashei yeshivot. But between theoretical learning and the street lies a deep chasm. And when the rabbis walk out onto the street, they do not grasp how the *Shulhan Arukh* can be put into practice and applied on the street. This is important. “They shall declare to My people what is sacred and what is profane”—not just “declare” in the sense of rabbis teaching one another, but rather “to My people,” the nation, the masses!

The Third Principle: Personifying Justice and Demonstrating Courage

Let us now proceed to the third principle: “In lawsuits, too, it is they who shall act as judges; they shall decide them in accordance with My rules.” The *kohen* must not only be a *lamdan* and a *moreh hora’ah*; he must also be a hero and must have within him fortitude and spiritual valor. For Rambam defines the mission of a king with the following words: “His goal and intention should be to elevate the true religion, fill the world with righteousness, break the grip of the wicked, and fight God’s wars” [*Mishneh Torah, Hilkhoh Melakhim* 4:10]. A king must embody the ideal of justice and combat evil, and a rabbi is a king in miniature: “Who are the kings? The rabbis” [*Beit Yosef to Arba’ah Turim, Orah Hayyim* 1]. The Torah therefore obligated him to personify absolute uprightness. Yes, gentlemen, this is one of the greatest tests a rabbi must pass—and I stress: I am speaking to myself; you are simply listening to me; this is a monologue between me and myself alone; I am not rebuking anyone else. That is what Reb Hayyim would always say on *Shabbat Teshuvah*: “Hayyim is speaking to Hayyim! And anyone who wishes to listen in for that which is relevant to him as well is welcome to do so.”

Again, the greatest test that a rabbi must pass is in his relationships with others. When it comes to uprightness, on the communal as well as on the individual planes, a rabbi must be courageous. *Gedolei Yisra'el*, I wish to tell you, demonstrated their greatness specifically by, for example, being willing, when ruling on Jewish court cases, to convict the strongman of the town and exonerate the pauper—that was a *gadol be-Yisra'el*. *Gedolei Yisra'el* lay Rabbeinu Tam's *tefillin*, prayed, learned, and fasted. Still, in the stories and legends told about them, one does not hear much about how many fasts they observed. Rather, one hears about how independent and impartial they were when it came to Jewish court cases: the richest man of the town and a tailor or water-carrier from the back alleys, from the slums, would come to court, and yet the rabbi would rule in the pauper's favor, against the rich man.

We do not know our own history. The problem is: they write Jewish history, but does that mean that we know it? When it comes to Jewish history, people know about such-and-such cultural movement, such-and-such economic movement, persecutions, pogroms, but they know nothing of the lives of the *gedolei Yisra'el*, lives in which Jewish history is reflected. Take, for example, the case of the *Tosefot Yom Tov* [Rabbi Yom Tov Lipmann Heller], who had the right to tax the Jewish community, and he increased the assessment on the rich while lowering the amount owed by the poor. As you know, he was therefore thrown in jail and was in danger of being executed, because he was accused of conspiring in his book *Ma'adanei Melekh* to overthrow the Austrian emperor and take the throne

for himself—and the proof is that he called his book *Ma'adanei Melekh*. This is a historical fact.²¹

I must tell you that, in truth, I cannot say that I know the history of many *gedolei Yisra'el*, but naturally I can speak about my own family with more authority. It is not that I think that my family was particularly outstanding in this respect—there were other *gedolei Yisra'el* with similar qualities as well—but I prefer to speak about that with which I am familiar.

My grandfather Reb Hayyim, whom Rabbi Berzon mentioned earlier, was, of course, a great scholar.²² I believe that if Reb Hayyim had never been born and never revolutionized the entire thought process of learning the *halakhah* by introducing abstract analysis and formalism—and, in this respect, he was far more modern and profound than all of today's cognitive theoreticians—it would be almost impossible nowadays to teach Torah to American young men, to modern people. He revolutionized the entire field of learning and placed it on such an abstract, elevated level that, with respect to methodology, we have no reason to feel ashamed when Talmud study is compared with the most progressive

²¹ See Joseph M. Davis, *Yom-Tov Lipmann Heller: Portrait of a Seventeenth-Century Rabbi* (Oxford; Portland, OR: Littman Library of Jewish Civilization, 2004), ch. 8 (The Trial), and, more recently, Alexandr Putík, “New Source for the Trial of Lipmann Heller and the Political Conflict in the Prague Jewish Community, 1629–1630: *Kurtzer Summarischer Wahrhafter Bericht*,” *Judaica Bohemiae* 47,2 (2012): 57-97. On the question of the title of *Ma'adanei Melekh*, see Rabbi Heller's autobiography, *Sefer Megillat Eivah* (Lemberg: Chawe Grohsman, 1837), 4b, 5b, and Davis, *Yom-Tov Lipmann Heller*, 122 n. 22. I thank Prof. Davis for so graciously responding to my questions about this passage.

²² Convention Chairman Rabbi Bernard L. Berzon opened the afternoon session at which the Rav spoke.

epistemological, cognitive, or logical theories. We are highly formalistically-, abstractly-, and analytically-inclined, and we can systematize and classify concepts just as well as the greatest philosophical systematizer. That is Reb Hayyim's achievement.

But I will tell you that I revere him not so much for his intellectual prowess as for his absolute sense of justice. I remember that when they came to my father to ask him what they should write on Reb Hayyim's tombstone, he would not allow them to use any titles—not *ha-rav ha-ga'on* and not *rabban shel kol Yisra'el*—just the following: "Here lies Rabbi Hayyim ben Rabbi Joseph Dov ha-Levi, *rav ha-hesed*." He did not request that anything more be written on his tombstone.²³ And if anyone fulfilled the verse "In lawsuits, too, it is they who shall act as judges; they shall decide them in accordance with My rules," it was him.

I wish to relate a small, real-life incident. (Of course, to learn from his behavior would be immensely difficult, an enormous challenge, even more of a challenge than not going to the funeral of a priest.) One morning in Brisk, a poor tailor passed away. Two hours later, there passed away the wealthiest and most learned man in town, who was responsible for bringing Reb Hayyim to Brisk in the first place. After all, when Reb Hayyim was supposed to come to Brisk, a committee of laymen traveled to test him, and they returned saying that Reb Hayyim cannot learn—this really happened! The aforementioned wealthy man was the greatest *lamdan* in town, so he went to discuss Talmudic topics with Reb Hayyim. He

²³ For a photograph of the tombstone, see: https://he.wikipedia.org/wiki/קיק%27סולובייז27הלוי_היים_ה#/#/media/File:313_פולין.jpg (accessed October 19, 2021).

came back to report that he can in fact learn, and he made him the rabbi of Brisk.

It was winter, in the month of Tevet, and the *hevra kaddisha* could not conduct two funerals during the daylight hours that day. You know that we were always very careful in observing the negative commandment against letting a “corpse remain on the stake overnight” [Deut. 21:23], which applies to all corpses [*Sanhedrin* 6:5]. So there arose a question about whose funeral should be held first: should the tailor’s be held first, which is what the *halakhah* requires, since whoever dies first is supposed to be buried first [*Shulhan Arukh, Yoreh De’ah* 354:1]; or, since the tailor will only have three other tailors attending his funeral, whereas the wealthiest and most learned man in town would have the whole community at his, perhaps his funeral should be held in the morning and the tailor’s in the evening? In short, that is what the *hevra kaddisha* ultimately decided to do.

When Reb Hayyim heard about this, he sent a message to the *hevra kaddisha* that they must bury the tailor, but they did not listen. He sent them another message, but they again did not follow what he said and went off to prepare the rich man’s body for burial. When they were in the middle of the process, Reb Hayyim barged in with his *dayyan* Rabbi Simhah Zelig [Reguer]—this really happened—and, with cane in hand, drove out all those preparing the body from the rich man’s house, leaving the rich man on the preparation table, and led them to the tailor; there, he supervised as they prepared the tailor’s body and buried him. Later, at night, they held the rich man’s funeral, to which no one came. Obviously, the rich man’s entire family was furious. And this makes Reb Hayyim greater in my

eyes than do all of his *Hiddushei Rabbeinu Hayyim ha-Levi*—despite his having revolutionized therein all of the *halakhah*.

And if you wish to hear, I will tell you another story, which is related to the current McCarthyism business. In 1905, a Jewish boy threw a bomb at the governor general of Warsaw. Those were the revolutionary years in Russia, and this boy was from Brisk. The police suspected him—he did, in fact, throw the bomb—and apprehended him. They summoned him to appear before a court-martial and decided to execute him in twenty-four hours. The news that he was going to stand before a court-martial reached Reb Hayyim on the eve of Yom Kippur, when Reb Hayyim was already in the Great Synagogue of Brisk and the *hazzan* had begun saying *Kol Nidrei*. The boy, you know, was a Bundist [Jewish socialist]. In religious terms, he was an enemy of the Jewish people, worse than an atheist; the Russian Yevseksiya grew out of the Bundists of 1905. But when Reb Hayyim heard the news, he stopped the *hazzan* in the middle of *Kol Nidrei*, ascended the *bimah*, and announced that everyone must go home and bring money to the synagogue—on the night of Yom Kippur! He then sent the *shammash* out to all the synagogues in town to announce that nowhere should *Kol Nidrei* be recited; rather, everyone must go home and bring money to him in the Great Synagogue.

He stood on the *bimah*—this really happened—and Rabbi Simhah Zelig, his *dayyan*, stood at his right side. They collected three thousand rubles, it seems to me, that Yom Kippur evening, and the two of them then went to the *ispravnik*, the police commissioner, of Brisk. Naturally, without the three thousand rubles, nothing would have happened. “And when he urged him, he accepted” [Gen. 33:11], they gave him the money, and Reb Hayyim accompanied the police commissioner to the station in

Brisk on the night of Yom Kippur, climbed onto a train with him, and they traveled together. The next morning, Yom Kippur morning, the police commissioner crossed himself and swore that the boy had an alibi: he himself was with the boy in Brisk that very day when he was supposed to have thrown the bomb at the governor general. And they freed the boy.

That was Reb Hayyim. Two years ago, when McCarthy was on his rampage, we rabbis were frightened to say a word. Reb Hayyim was not afraid, in 1905 Tsarist Russia, to defend someone who was accused of assassinating the governor general, a nephew of the tsar. That is the epitome of “In lawsuits, too, it is they who shall act as judges; they shall decide them in accordance with My rules.”²⁴

Gentlemen, you might ask: how does this verse relate to us? After all, we do not decide any Jewish court cases. At one time, the rabbi was the authority in town; nowadays, we have no power. In point of fact, I cannot tell you that it is hugely relevant for us, but nevertheless it does present a real problem. A rabbi must observe the law to “fear no man” [Deut. 1:17], and “fear no man” can come up in many contexts: in how the rabbi interacts with his congregants, with whom he chooses to speak, whose

²⁴ There appear to be a few different versions of this story. See, e.g., Jacob Mark, *Gdoylim fun Unzer Tsayt: Monografyey, Kharakter-Shtrikhen, un Zikhroyney* (New York, 1927), 47; Eliezer Leoni (ed.), *Volozhin: Sifrah shel ha-Ir ve-shel Yeshivat “Ets Hayyim”* (Tel Aviv: Ha-Irgunim shel Benei Volozhin, 1970), 212-213; Rabbi Rakeffet-Rothkoff’s *The Rav: The World of Rabbi Joseph B. Soloveitchik*, vol. 1, ed. Joseph Epstein (Hoboken, NJ: KTAV Publishing House, Inc., 1999), 234-235; and Joseph Telushkin, *A Code of Jewish Ethics*, vol. 2 (New York: Bell Tower, 2009), 377. For an account given not long after these events, see A. Litwin [Samuel Hurwitz], “Der Brisker Rov—Eyner fun di Interessanteste un Merkvirdigste Perzonen in Rusland,” *Forverts* (December 17, 1911): 5; (December 18, 1911): 5.

hand he shakes a bit more firmly, whom he greets with a wish of “Good Shabbos.” I know that when a wealthy man approaches me, I shake his hand a bit more firmly, while to a poor man I give three fingers. That is forbidden, that is a violation of “fear no man”! I am speaking to myself now. “Hear out low and high alike” [ibid.].

And the main thing is when it comes to all the reforms in the synagogue. The pressure for their implementation does not originate with a mass movement; it begins with the stubbornness of a single strongman, a ruffian who has a lot of money and rules the synagogue like a tyrant or dictator. If the rabbi holds fast to the principle “In lawsuits, too, it is they who shall act as judges; they shall decide them in accordance with My rules,” he can always defeat him. All changes and all troubles—personal troubles, persecutions, and reforms in the synagogue—result from being afraid of an individual. We must not fear individuals! If the rabbi is not scared, he will always be able to find congregants who will support him. But if the congregants see that the rabbi is afraid and thin-skinned, scared of another, then it obviously becomes difficult to form a clique, and the rabbi loses the battle. This is really the primary criterion for the *kohen’s* leadership: “In lawsuits, too, it is they who shall act as judges.”

When it comes to ruling on halakhic questions, gentlemen—we spoke earlier about *hora’ah*—one must also act bravely. Once upon a time, a rabbi only needed courage when deciding Jewish court cases, not when answering a halakhic question. Rabbi Jonathan Prager [Eibeschuetz] used to say, “Master of the Universe, when a poor butcher comes to me with a cow for which he had paid fifty golden thalers and I declare it *treyf*, he leaves saying, ‘Rabbi, well done,’ and acts in accordance

with the law. But when two Jews come to me, one demanding from the other two thalers, and I rule in favor of one of the two, the loser considers me an enemy.”²⁵ In other words, to rule on a halakhic query, one did not need to be brave. One needed courage when it came to Jewish court cases, because there it was not a question of money but of who was right and who was wrong. Nowadays, however, a rabbi must have courage when he decides halakhic questions as well. Because today, certain strongmen in America are extremely vulgar and want the rabbi to rule in accordance with their understanding of the *halakhah*. And so, “fear no man” applies not only in the context of court cases and in the realm of interpersonal relations—“hear out low and high alike”—but in the realm of ritual law, between God and man, as well. A rabbi must have the courage to say what is *treyf* and what is kosher, what does conform with the customs of the synagogue and what does not, what is in consonance with the form of the prayers and what is not, what Jewish law does and does not say.

Of course, gentlemen, *hora’ah* in Hebrew—this is a remarkable observation—comes from the root *y-r-h*, to shoot. They are the same word. “Now I will shoot [*oreh*] three arrows to one side of it, as though I were shooting at a mark” [I Sam. 20:20]. When one rules on a halakhic question, one is shooting an arrow! How so? First of all, in shooting an arrow, one must have the dexterity and skill to hit the target. The rabbi must be able to apply the *halakhah* to the circumstances. Second, he must be brave: just as a warrior fighting on the battlefield must have courage, so must a rabbi who decides a halakhic question have courage.

²⁵ See Rabbi Eibeschuetz’s *Sefer Ya’arot Devash*, vol. 1 (Zhovkva: Gerson ben Ze’ev Wolf Segel [Letteris], 1798), 34b.

Sometimes, the decision will not conform with public opinion; sometimes, gentlemen, it will be unsuccessful; sometimes, it will seem as though one has lost the battle; and sometimes, says our friend Jonathan, “You shot arrows—‘go and find the arrows’ [ibid. 20:21]. Whoever is responsible for shooting the arrows, go search for them! ‘Hey! the arrows are beyond you’ [ibid. 20:22]—you were not practical! The arrows were shot a bit too far! The *hora’ah* is outmoded or too fanatical! Reality is at odds with it! The historical-sociological circumstances are in conflict with your *hora’ah*!” And the rabbi begins to descend into loneliness and helplessness; he starts to feel like David did on that sad morning when he and Jonathan parted ways: “They wept together; David wept the longer” [ibid. 20:41].

Perhaps we have shot the arrows a bit too far, perhaps we have taken a false step, perhaps we have demanded too much, perhaps we have forgotten that we find ourselves in America and that there are currently any number of forces that prevent us from observing the *halakhah*. However, gentlemen, we must never forget our motto: “For we two have sworn to each other in the name of the Lord” [ibid. 20:42]. We bear responsibility for the Master of the Universe; we were adjured at Mt. Sinai. Our goal, at the end of the day, is not to practice a profession or to make money. Money is certainly important, but I always say: Saul went out looking for donkeys and wound up becoming king, and once he became king, Samuel told him, “Do not concern yourself with the donkeys; remove them from before your eyes” [see ibid. 9:20]. Our task is: “May the Lord be between you and me, and between your offspring and mine, forever!” [ibid. 20:42]. We serve the Eternal, and we cannot on account of the smarminess of a president or the decision of a

board of directors violate the bond between the Creator of the Universe and us.

Because of this, it does not matter if, once in a while, we overshoot a bit, “beyond you,” and they sarcastically say to us, “Go and find the arrows.” I don’t know, perhaps you’ll tell me I’m not in the active rabbinate—perhaps, I don’t know. But one thing I do know from my own experience: when you shoot the arrows “beyond you,” it is a long road, yes, and you must travel a bit further, but it always turns out to be a short road to victory; whereas when you shoot the arrows too close, the road is a short one that winds up being long.

The Fourth Principle: Preserving Torah for the Future

Now we begin the fourth principle, gentlemen: “They shall preserve [*yishmoru*] My teachings and My laws regarding all My fixed occasions”—the *kohen* must protect the laws and statutes at all times. What does it mean *yishmoru*, to preserve? In contemporary Hebrew, we understand *yishmoru* to refer to observance of the commandments. When one describes a man as a *shomer mitsvot*, one means that he is a Jew who fulfills the commandments. However, in truth, gentlemen, this is a misleading term. An observant Jew should be called an *oseh mitsvot*. Someone who is *shomer mitsvot* is a person who not only fulfills the Torah but makes sure that no one absconds with it and that it does not go missing. If, for example, a Jew lays Rabbeinu Tam’s *tefillin* and says *Ve-Yitten Lekha* every Saturday night, but at the same time he does not protect the *tefillin* or the *Havdalah* from being lost to his children, or he does not protect his children from being swept away from other Jewish children by the non-Jewish street, he may be an *oseh mitsvot*, but he is no *shomer mitsvot*. A *shomer* must stand guard. At the end of the

day, even a *shomer hinnam* is responsible for negligent behavior [*Shulhan Arukh, Hoshen Mishpat* 291:1]. And if a Jew is negligent in preserving the tradition and the Torah for the next generation, he cannot be considered a *shomer*—even when he himself is an *oseh mitsvot* and is careful to recite the entire *Hok le-Yisra'el*. And so, when the prophet ordered that the *kohanim* should “preserve My teachings and My laws regarding all My fixed occasions,” he meant not only that they themselves must observe Shabbat, keep kosher, and lay *tefillin*—he did not need to tell the *kohanim* that—but that they must preserve those observances for the future.

I believe that we Jews in general, and the *kohanim* in particular, are not to be considered simply as *shomerim hinnam* with respect to the Torah entrusted to us, but rather as *sho'alim*. You know why? Because “all the benefit is his” [see *Bava Metsi'a* 94b]. I do not mean that we earn wages for our *shemirah*. No. Rather, it seems to me that without the Torah a Jew leads an empty life. I pity those Jews who are not *benei Torah*. It seems to me that their lives are miserable, pointless, and purposeless. Thus, we benefit from the Torah, enjoying its breadth, depth, and dynamism. And so, we are culpable even in cases of *force majeure*; we have no excuses. “The owner of the house shall depose before the judges” [Ex. 22:7]—we are responsible under all circumstances. If we really wanted to prevent them, many things would not come to pass.

In truth, gentlemen, the root *sh-m-r* in Hebrew has two meanings: first, *sh-m-r* means “to preserve;” second, it means “to wait, foresee, anticipate.” For instance, “He waited [*ve-shamar*] for me at the entryway” [*Berakhot* 3a]; “and his father kept [*shamar*] the matter in mind” [Gen. 37:11]; and “I look to the Lord; I look to Him [...] I am more eager for the Lord than

watchmen [*shomerim*] for the morning, watchmen for the morning” [Ps. 130:5-6]. Rashi comments on the last verse that it describes a remarkable group that would not sleep the entire night but would stay up and wait for daybreak, repeatedly approaching the window, watching to see when the sun would rise [see Rashi to Ps. 130:6]. As a result, a *shomer*, if he is to protect properly, must be able to anticipate dangers and opportunities and plan for future events. A *shomer* must have vision. Observing Shabbat is not enough. One must constantly be anticipating and outmaneuvering the dangers that lie in wait for a Jew in connection with his or his children’s observance of Shabbat. And so it is with all commandments. “Observe [*shamor*] the sabbath day and keep it holy” [Deut. 5:12]. Says Ramban, *shamor* does not mean “observe” but “wait for” Shabbat [see Ramban to Ex. 20:8]. The *Mekhilta*, too, understands the verse this way [*Mekhilta de-Rabbi Yishma‘el* 20:8]. What is Jewish education, truly speaking? Jewish education is, at its core, *shemirah* in the sense of preparing for the future. Nothing is accomplished without conscious thought.

Therefore, gentlemen, we must be *shomerim* with respect to Judaism: protecting it, anticipating, cultivating, and planning for the future. If one’s soul is “eager for the Lord,” if one serves the Master of the Universe, one must be among those “watchmen for the morning.” One must be able to protect, foresee, await, and anticipate!

Let us now discuss simple, concrete issues. The greatest *shemirah* a rabbi can perform is in connection with Jewish education. And I will actually pay you all a compliment. When many of the older rabbis speak about the RCA—I do not mean the Alumni; when it comes to the Alumni, they are totally ignorant. You will have to forgive me, Rabbi [Joseph H.]

Lookstein: they do not know about your presidency of the organization; they only know about the RCA. In any event, if one is looking for faults, one can certainly find them. However, I always respond to the older rabbis, “All of what you say is true, but tell me one thing: show me your children—and by now not just children, thank God, but grandchildren as well—and show me the children of any RCA member, and tell me where they each wind up.” If we compare how many children of RCA members vs. children of the older rabbis go to *yeshivah*, we will find that the latter group is only about a tenth the size of the former, and perhaps not even that much. That, to me, is the greatest *shemirah* of all. Reb Hayyim used to say, “If you wish to see a person, do not look at him; look at his reflection in the mirror, the mirror being his son.” And that is quite true.

This is all well and good, but I have one complaint. Jewish education in America depends to a great extent on *yeshivot ketannot*. I know many rabbis in the Boston area, and I assume the same is true in other communities as well, who had the ability to found *yeshivot ketannot*—they had the influence, support, and opportunity, and they would have succeeded had they tried—but did not actually do so. Why not? Because they were afraid people would say to them, “‘Hey! the arrows are beyond you,’ the arrows were shot a bit too far. ‘Go and find the arrows!’” Of course, a *yeshivah ketannah* is not a popular institution in America. New York is in a category unto itself; out-of-town is different. Certainly, the situation out-of-town today is very different from what it was fifteen years ago, when we founded the *yeshivah ketannah* in Boston; at that time, I was completely ostracized by the entire community, both Orthodox and Reform Jews, although today things are better. But tell me: is it pleasant to found a *yeshivah ketannah*? Obviously, it would

be ridiculous to expect the road to building a *yeshivah ketannah* to be lined with flowers. Still, one can accomplish this—one must simply have the courage to shoot the arrows! It might be a bit “beyond you,” but “we [...] have sworn to each other in the name of the Lord;” we have inherited an old oath that “shall not be absent from your mouth, nor from the mouth of your children, nor from the mouth of your children’s children—said the Lord—from now on, for all time” [Isa. 59:21].

It does not hurt if, at times, as Jacob said, “sleep fled from my eyes” [Gen. 31:40] and one does not sleep at night. If we had *yeshivot ketannot* in our communities, our tradition would be stronger, since we would have *yeshivah* graduates as congregants. By this point, we have been active in the rabbinate for over twenty years, so we would already have a substantial group of such young congregants. A rabbi needs nothing more if he has fifty *yeshivah*-educated religious young people in his city; under such circumstances, he rules unchallenged.

I will go further: why do I insist on *yeshivot ketannot*; what is wrong with Hebrew schools? Tell me: is there any difference between the Hebrew schools connected with the synagogues of our rabbis and those connected with the temples of Conservative clergymen? In many places, there is absolutely no difference. They hire the same teachers and have the same program, the same course of study. How are we distinct from the others? Is the only difference the fact that we wear yarmulkes? As precious as the yarmulke is to me, it is not the symbol of Judaism. We must distinguish ourselves in our halakhic observance, in a different approach to life, and also in our level of *shemirah*! “Regarding all My fixed occasions”—at all times, when it is convenient and when it is not convenient! Even

when they say, “Hey! the arrows are beyond you”! Even when “sleep fled from my eyes”! And yet, we have not done this.

If we do not do this, not only will we fail to raise an entire generation; laymen will begin to ask questions. Laymen will ask, “Of what benefit to us are the rabbis?” [*Sanhedrin* 99b]. If a layman asks that of me, that is a bitter question.

And I will tell you something else. A question has begun to circulate that I am sure you have encountered. It is dangerous territory, but let us proceed: I wish to treat the question of the synagogues. I know the situation; I am, by nature, a realist and not a dreamer, gentlemen. I was taught to be a realist in my father’s *heder* by analyzing the *halakhah*. The *halakhah* is very realistic. The fact that “the Torah addressed itself specifically to the Evil Inclination” [*Kiddushin* 21b] indicates that the *halakhah* is aware that there is an Evil Inclination.

I do not wish to decide any questions for you now, gentlemen. I am not a halakhic arbiter and I do not seek to chastise you. I have no right to issue rebuke; I know the challenges, I know the situation. But it seems to me that we are not doing what we should be doing. If you think, gentlemen, that by sending rabbis to Conservative synagogues—and believe me, I am not speaking on the halakhic plane now; I do not know the law and am not deciding halakhic questions—we will defeat them, you are making a mistake. When one of our rabbis goes to a Conservative synagogue, I know of many cases in which the rabbi himself begins to feel ashamed of us. He has no desire to affiliate with us. I know of such cases; I am not just telling you stories. And at the end of the day, he becomes a member of the [Conservative] Rabbinical Assembly. This is the simplest, clearest chain of events.

Second, believe me, the *yeshivah* needs money, and I feel that the Alumni does not properly discharge its duty to the *yeshivah* in this regard. I spoke about this this past winter and repeat it now. For me, the fact that we do not do what we must on behalf of the *yeshivah*, instead allowing the burden to fall on Dr. [Samuel] Belkin, is one of the biggest blots on all of us. But if you think that you will succeed in fundraising for the *yeshivah* in Conservative synagogues, I will tell you that in my experience, one receives no money from them. No, the main donations come specifically from our traditional synagogues. I am not saying that we raise enough money from them, but such synagogues collect more than do those who collect in the temples with their clergymen.

Third—and it is about this that I am most concerned—if we go to the Conservative synagogues, the layman will lose the sense of distinction! And if the layman loses this sense, one cannot tell him that one is willing to adopt such-and-such compromise, but nothing more, because the layman does not understand the difference: if this is permissible, why is the next thing prohibited? You can try to explain using *lomdes*, by pointing to the *Shulhan Arukh*, turning this way, that way, but the layman is a logical being: if one allows A, he will push for B; if one allows B, he will push for C. Gentlemen, I tell you this from the bottom of my heart—and I do not live a hermetic lifestyle; I live out-of-town, in Boston, and I know Jews of all stripes, from all groups, and what they think about the *yeshivah*: Jews are now uncertain whether we are truly Orthodox rabbis. I say this to you, gentlemen, because if I were to suppress my prophecy and hide it from you, I would not be demonstrating my loyalty to the *yeshivah*. They have grave doubts, and we are to blame. A religious youth—currently not very large, but growing—is

being raised in America. For many among this youth, we are illegitimate—not just you; I as well. All of us. They look upon us with suspicion. And if the layman should dare to ask the question that [the ministering angel of Egypt] Uzza asked the Master of the Universe on the seventh night after the exodus from Egypt: “Both [the Israelites] and [the Egyptians] grow their hair in plaits?” [see *Va-Yikra Rabbah* (Vilna ed.), *Parashat Aharei Mot* 23:2 and *Yalkut Shim’oni*, *Parashat Be-Shallah* 241], we would have no answer. Even the Master of the Universe could not give him an honest answer at that time.

I believe that we cannot conquer other fortresses. Orthodoxy cannot conquer the fortresses built by the Mapai in the Land of Israel; instead of doing battle with the Mapai, Orthodoxy should have been building itself. Similarly, we will not succeed in conquering the fortresses of the Conservative Jews. It sometimes happens that the president of a Conservative synagogue gets into an argument with the Rabbinical Assembly and he then comes to us. But three years later, he makes up with them and goes back. I say this from experience; I am not telling you fantasies. Instead of trying to conquer other fortresses, we should have developed a program to see to it that synagogues be established, and to that I should add that if the *yeshivah* could have a budget of two million dollars—and would that it would have more!—it could spend half a million dollars a year on founding new synagogues. That is just as important as a graduate school or a medical school.²⁶ One need not be stingy with budgets.

You know quite well that our synagogues are concentrated in the city centers, but the cities are emptying of Jews. In the

²⁶ Yeshiva University’s Albert Einstein College of Medicine was founded in 1953 and the first classes began in September 1955.

suburban communities, we have no synagogues. We cannot take positions in their synagogues; even if we were to find a permitting ruling by the *Shulhan Arukh*, Rema, *Shakh*, or *Taz*, it would not help us. What we can do is organize ourselves, because American Jews are not choosing to go specifically to Conservative synagogues; if an Orthodox synagogue would be opened for them, they would go there. The earlier we arrive, the more quickly we will succeed, but if we are slow to act, we will lose. The Alumni must demand of the *yeshivah*, and must itself prepare, a budget. Nothing is more important now than that! There are two things that we must do: build *yeshivot ketannot* and found new synagogues.²⁷ And if the community does not pay, the Alumni of the *yeshivah* must be ready to pay the rabbi for the first three years, just as the [Reform Union of American] Hebrew Congregations does. They subsidize, but we do not. Simply quarreling with Conservative clergymen is, I believe, beneath our dignity. I wish to tell you, in truth, I have no claims against anyone for doing as he understands if I am not doing as I must.

“They shall preserve My teachings and My laws regarding all My fixed occasions.” This is now the last “fixed occasion.” We must perform *shemirah* like “watchmen for the morning, watchmen for the morning”! If you are awaiting the morning, you have to prepare for the morning! “I look to the Lord; I look to Him [... more] than watchmen for the morning.” Yet we do nothing.

²⁷ At about this time, the Union of Orthodox Jewish Congregations of America (OU) began a drive to raise \$500,000 “to establish new congregations in suburban areas, strengthen synagogues, and to expand youth and educational activities.” See *The Sentinel* (May 12, 1955): 25.

And there must be something else. I spoke to you earlier about our literature; we must have religious literature on a higher level. I do not believe that four hundred members of a synagogue will understand, but ten to twenty intellectuals will, and that is worth the costs. We must demonstrate intellectual maturity; that, too, is one of the aspects of being “watchmen for the morning.” Education, knowledge, and depth. We must enjoy the respect of the American Jewish intelligentsia, which is currently growing in size. I understand our problem as follows: we rabbis only come in contact with the uneducated masses. That is, unfortunately, the situation. The intellectual stratum of Jewish society does not belong to synagogues. But in every family in America today, there is at least one intellectual Jew, one academic: a son, a daughter, a brother, a brother-in-law, a son-in-law. If you win his respect, you win the respect of another ten or twenty; if you fail to win his respect, you lose everyone’s respect. How can you win his respect? Not with sermons. An American Jew can listen to a sermon and judge it to be a good sermon and the rabbi to be a good orator, but he does not allow himself to be fooled. An American Jew wants content.

If we succeed in creating religious literature, then we can accomplish quite a lot. I do not mean to suggest that we have to write using philosophical jargon like the Germans, like [Immanuel] Kant, used. I mean literature written in a popular form, but it can be both popular and on a high level. Of course, the results of such an accomplishment would not be as immediately recognizable as would those of a meeting or Friday night forum attended by three hundred, five hundred, or a thousand people. Instead, they would appear gradually, like a spring bubbling up from the ground: it rises slowly

underground until it bursts through one point on the surface like a geyser. The dividends will come later. But the thing we need more than anything else in America is respect. And there is no country where intellectual prowess is respected more than it is in America. I have been to many European countries. Germans think of themselves as respecting intellectuals, but there is no comparison to Americans. Both non-Jews and Jews have unlimited admiration for intellectual attainment. That is a fact, and we have to recognize it. We have much more to offer than do the Reform or Conservative clergymen.

Anyone familiar with the current state of the American theological scene knows that it is going through a *Sturm und Drang* period: the entire pragmatic theology and approach that identified religion solely with ethics, social justice, and psychological and psychiatric benefits is now being repudiated and replaced with a more metaphysical, transcendental, deeper theology. I will give you an example: take Harvard. Harvard's Divinity School was about to close down, because its president was [James Bryant] Conant, a chemist who today serves as ambassador to Germany and is both an agnostic and an atheist. And that was one of the reasons he left Harvard. (Of course, officially they say he left for his new job.) What is Harvard doing now? Harvard is now spending hundreds of thousands of dollars on building up the Divinity School. It is today inviting theologians from all over the world. What does it hope to do? It hopes to create a research center for religious thought and its impact on civilization. Harvard understands; it senses that the American mentality is ready for this and therefore responds.²⁸

²⁸ The audio cuts out briefly at this point.

I wish to tell you that it is one of the tasks of the *yeshivah* to establish just such a research center for Jewish thought. And if it costs a little money, believe me, we spend money on other initiatives that are not as worthy. We must further see to it to publish and print new works, not just worthless sermon manuals! I have never yet stolen a sermon from a sermon manual. I have tried searching through them, but the fact is that I have ultimately thrown them out, and I do not want to look at them anymore.

Let the American Jewish intelligentsia see that ours is a rabbinate that is both faithful to a great tradition and equipped with all the tools of modern thought! Let them respect you. “And all the peoples of the earth shall see that the Lord’s name is proclaimed over you, and they shall stand in fear [*ve-yare’u*] of you” [Deut. 28:10]. *Ve-yare’u* does not refer to *mora* but to *yir’at ha-kavod*. And if they ask us, “How is your beloved better than another, O fairest of women? How is your beloved better than another” [Song 5:9] that you yearn so for Him?—we must be able to respond, “My beloved is clear-skinned and ruddy, preeminent among ten thousand” [ibid. 5:10].

The Fifth Principle: Modeling Sacred Behavior

Finally, gentlemen, there is one more thing that we must remember: “And they shall maintain the sanctity of [*yekaddeshu*] My sabbaths.” A rabbi can influence his congregation on all fronts, but on one condition: that he himself hallows Shabbat. What does it mean to hallow Shabbat? The rabbi must demonstrate through his behavior, actions, lifestyle, and words that he is on a different spiritual level than the congregation, so that they look up to him. The verse does not say, “And they shall observe [*yishmoru*] My sabbaths,” but

rather *yekaddeshu*. If a Jew wishes to see what Shabbat is, what Judaism has to offer, what Torah and *halakhah* mean, the rabbi should serve as his model. That is true Jewish *kehunnah*. For Jews, the greatest teacher is not the book, i.e., the Written Torah with its five parts; the greatest teacher is the Oral Torah, and the Oral Torah is represented by the rabbi: “I stood between the Lord and you” [Deut. 5:5]. Who was the intermediary between God and the Jews? Moses. Why? Because Moses had to model everything that the Master of the Universe demanded of the Jews.

We must be very mindful of this, gentlemen. You know what *Hazal* had to say about a “Torah scholar on whose clothing a fat stain is found” [*Shabbat* 114a], or a “Torah scholar who feasts excessively everywhere” [*Pesahim* 49a], or a Torah scholar who takes meat from a butcher without paying immediately [see *Yoma* 86a]. One must be very careful about all of these seeming trifles. One stain on us, one improper word, one inappropriate joke, frivolity expressed in an action, in a smile, in our conversations with congregants, with the Brotherhood and the Sisterhood, especially with the Sisterhood—in every area, we must hold ourselves to a higher standard. And if you ask me why American Jews do not submit to the authority of their rabbis—I do not mean to us specifically; I mean to us and to other rabbis, including Conservative and Reform clergymen, with many of whom I have spoken about this—they give me one answer: the rabbis do not hold themselves to a higher standard than us. A psychology instructor at a college in New England once asked me, “Why should I admire the rabbi? I’m just as ethical as he is.” He was talking about a particular Chabad rabbi. “They say he’s a good speaker, an orator?” “This doesn’t impress me.”

The American Jew looks to his rabbi to be an ethical and moral role model. And we must provide him that model. “And they shall maintain the sanctity of My sabbaths.” It must always be so, gentlemen: just as impurity is contagious—“When a person dies in a tent, whoever enters the tent and whoever is in the tent shall be unclean seven days” [Num. 19:14]—so is sanctity contagious. If a person, whether he is an atheist or an agnostic, sees in his rabbi, his leader, a loftier personality, who speaks differently, with greater dignity; who knows differently—not that he knows *more* in educational terms; rather, that he knows *differently*, has a different relationship to knowledge—who gives charity differently; who relates to people differently; who prays differently; who observes Shabbat differently, he will be influenced. Willy-nilly, *nolens volens*, he will be influenced. “And they shall maintain the sanctity of My sabbaths.”

The *Kohen* Is Also a Prophet

Gentlemen, this is the program that Ezekiel gave the *kohanim*. But herein lies one more secret. In truth, sociology, since the times of John Stuart Mill and [Jeremy] Bentham—later, Ahad Ha’am came upon the same idea—has always contrasted the *kohen* with the prophet. You all know the famous essay by Ahad Ha’am, “Kohen ve-Navi.”²⁹ He presents the prophet as a revolutionary. The prophet is someone who fights for justice, who opposes public opinion if he disagrees with it, who can raise himself up above the masses, who preaches, calls upon,

²⁹ Ahad Ha’am [Asher Zvi Hirsch Ginsberg], “Kohen ve-Navi,” in *Al Parashat Derakhim: Kovets Ma’amarim*, pt. 1 (Berlin: Jüdischer Verlag, 1921), 178-184.

demands, builds, seeks, and has no fear of pain and suffering. The *kohen*, by contrast, represents someone who is at peace with the status quo, who goes along with, and even flatters, public opinion, who seeks to change and improve nothing, who wishes only to maintain the existing social order.

Yes, the distinction is correct, but not for us Jews. Among us, there was never such a gap between the *kohen* and the prophet. The first *kohen*, Aaron, was a prophet, and Aaron, according to *Hazal*, was as great in the level of prophecy he attained as was Moses: "This teaches that they are equals" [*Yalkut Shim'oni, Parashat Be-Reshit* 4]. And *Hazal* say: "One may not consult a *kohen* who does not speak with divine inspiration and upon whom the *Shekhinah* does not rest" [*Yoma* 73b]. The Jewish *kohen* is not someone who flatters the authorities, who seeks to maintain the status quo, who attempts to preserve that which already exists, who does not try to realize his ideals and does not hope for a better tomorrow. Rather, the *kohen* is also a prophet, one who waits like "watchmen for the morning, watchmen for the morning."

"For the lips of a priest guard knowledge, and men seek rulings from his mouth; for he is a messenger of the Lord of Hosts." He seeks the Eternal. "For we two have sworn to each other in the name of the Lord: 'May the Lord be between you and me, and between your offspring and mine, forever!'"





ישיבת רבנו יצחק אלחנן

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