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Making Jewish Education Affordable

Jay Kelman

I read with great interest Chavie Kahn's recent article suggesting that endowments are the primary solution to the day school affordability crisis. She has presented a cogent argument for the need for our community to adopt long-term thinking in dealing with the tuition crisis that threatens the viability of our day school system. In theory, I could not agree more. However, in practice, the current use of endowments is actually part of the problem, not the solution.

Endowments are an investment in the future, but we must first deal with the present. Thus, it behooves us to use monies raised to pay for our educational needs of today as opposed to investing them and using the income—some 5% (or less)—to fund Jewish education. By using only the income generated, 95% of the monies raised are effectively left unused, when they are so desperately needed. For the income from endowments to be significant in the present, the funds necessary to endow day school education are so staggering as to render such an approach almost impossible to achieve—which is exactly why it has not yet happened.

For instance, in Toronto, where I live, there are approximately 8,000 children enrolled in (Federation-funded) day schools and *yeshivot*. The cost to run these schools is just about $110,000,000. To make day school education free—as NYU is doing for its medical students, and which is the model we would all love to see—would require an endowment of at least $2,000,000,000. This would be possible if we had visionaries like Bill Gates and Warren Buffet to initiate a Giving Pledge in which Jewish billionaires would donate generously to Jewish education. But alas, they have not done so.

I teach at a large community school which had an enrollment of 1,538 students for the 2008-9 school year. Over the succeeding years, however, enrollment steadily declined as tuition steadily increased, such that this past year, the school enrolled just 872 students. (Lest one thinks this reflects a drop in the quality of education, the school's retention rate is some 97%, the highest of any private school in Canada.)

Seeking to reverse this trend, last year, two visionary philanthropists donated a total of $14,000,000 over five years, on condition that tuition be lowered by $10,000 for every student. As a result, last year, 199 students entered ninth grade, down from over 400 a year nine years ago. This year, we are welcoming 296 grade nine students—a growth rate of 50% in one year! And this with tuition still at $18,500. Imagine the increased enrollment if tuition were to be $8,500! Had that money been given as an endowment, there would have been no impact on enrollment in the day school.

What will happen in five years when the donated money runs out? No one knows, but you can be sure that the school will do all it can to raise another $3,000,000 a year to ensure that the lowered tuition can continue.

Which brings us to another problem with endowments: laziness. Once an endowment is set up, there is little incentive to try to raise more funding, and complacency sets in—with potentially devastating consequences. Lowering tuition for some 872 students by $10,000 costs more than the $3,000,000 donated (though given the students already receiving a tuition subsidy, the cost is significantly less than $8.72 million). But this was the point. The school was forced to find additional savings to cover the initiative, which it did successfully.

There are billions of dollars in charitable foundations in Canada, and even more in the United States, all controlled by leading Jewish philanthropists. Each year only a small percentage is distributed and the rest sits invested for some future date. If just a small fraction of that money was invested in students, the tuition crisis would be solved overnight.

Each generation has the responsibility to fund its own charitable needs. With so many current needs and limited resources, the funding of today should be spent on the needs of today, not on some unidentified need fifty years hence. The community needs of the future should be met by our children and grandchildren's generations. To put it in halakhic terminology, we have a *holeh le-faneinu*, a day school system that is very sick and needs CPR now. The Halakha requires that when faced with a *holeh le-faneinu,* we do all we can to save the patient, regardless of the future impact.

Using Toronto as an example, let me very briefly suggest one approach that I believe can help solve this crisis once and for all. In line with family income, tuition would be capped at between 10-15% of family income, regardless of the number of children in a family. Such a plan would cause an annual shortfall of approximately $45,000,000 a year. To fund the shortfall, we would need bridge financing, ideally a gift or an interest-free loan, a "one-generation" endowment, if you will, of $1,000,000,000. We would turn to the philanthropists for these monies.

To take an example, under this model, annual tuition for a family with four children (two in elementary school and two in high school) and earning $250,000 would be lowered from $85,000 to $30,000 (12% of their income), yielding a savings of over $50,000. In return,the family would purchase a $750,000 life insurance policy payable on the death of the second spouse and donate the policy to the school or central communal fund set up for this purpose. If each member of a couple is thirty years old, such a policy would cost $5,100 a year for 15 years, at which point no more premiums would be due. As this is a form of charity to the school, each family would receive a tax receipt. In essence, the premiums would take the place of a large part of tuition and would need to be fully paid over the course of time when one's children are enrolled. (If each spouse was forty when they started, the premiums would be $7,200 a year for 15 years; and, at age 50, $11,900 a year for 15 years, much less than the cost of tuition of a child.[1]) With approximately 300 new families enrolling in the Toronto day school system each year, once the policies start paying out, $225,000,000 will be available every year to help fund Jewish education (and repay the loan if need be). At that point we would have a large enough and growing fund to support Jewish education for all.

[1] These figures were provided by Al G. Brown and Associates, a large insurance agency in Toronto. While U.S. figures will vary slightly, both the saving to a family today and the long-term benefit to the community are most significant.

Not only would the above plan bring in new money year after year, it enables the middle class to fund Jewish education for their children and those of the community without constantly relying on handouts from wealthy philanthropists. While they cannot afford the tuitions of today, they can offer the world a gift after leaving it.

The tuition crisis is perhaps the greatest threat to the future strength of our community. By working together and managing our money properly, we can solve this challenge and take a step in the direction of Yehoshua ben Gamla, who instituted free education for all Jewish children (*Bava Batra* 21a).

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Leavings of Sin: Rav Aharon Lichtenstein on *Teshuvah*

Shlomo Zuckier

Introduction

The yeshiva "academic year" begins in Elul, a heady and intense time leading up to the Yamim Noraim that centers around *teshuvah* and self-improvement. The mere memory of that season is liable to invoke feelings of divine longing and spiritual awakening in yeshiva alumni. Despite these stirrings, it can be difficult to embrace the Yamim Noraim spirit for those whose lives are structured not around a yeshiva schedule but around vocational, familial, and other responsibilities. While classically the *shul* rabbi's *shabbos shuvah derashah* was meant to break this monotony and inspire spiritual inspiration, the prevalence of the rabbinic *derashah* nowadays (at least in the US) dulls the intensity of the *derasha* experience. It is perhaps for this reason that the more noteworthy *teshuvah derashot* over the past half-century have been offered not by *shul* rabbis but by *rashei yeshiva*. Most famous among these, at least in the Modern Orthodox world, are the annual *teshuvah derashot* of Rabbi Joseph B. Soloveitchik, offered from 1964 to 1980, and those of Rav Aharon Lichtenstein, offered from 1985 to 2010 at either the Gruss Institute in Jerusalem or a New York synagogue.

While *derashot* are most potent in the moment, with the indelible impression they make upon their listeners, quality lectures of this sort also have the capacity to be of enduring value. To that end, Pinchas Peli collected and published seven *derashot* of Rabbi Soloveitchik in his journal *Panim el Panim* and then in a volume, *Al ha-Teshuvah*, which has since been translated into English. Most recently, consumers of *teshuvah* literature will be most excited to learn, twelve of Rav Lichtenstein's *teshuvah derashot* have been published, by the Mishnat HaRAL project through Maggid books. *Return and Renewal: Reflections on Teshuva and Spiritual Growth*, adapted and edited by Michael Berger and Reuven Ziegler, affords access to Rav Lichtenstein's teachings on *teshuvah* to a general audience. This publication not only allows for the broader public to study and consider Rav Lichtenstein's teachings regarding repentance, but also consolidates his thoughts on *teshuvah* for consideration as part of his broader *hashkafic* and theological writings.

The topics presented in the book have some range, but all are centrally focused on repentance. They include:

a. considerations of certain halakhic issues regarding *teshuvah* – whether it is an obligation or not, and gradations of sin and repentance;
b. the timing of *teshuvah* – does it stem from a norm or a time of crisis, and *teshuvah* at different stages in one's life;
c. the experience of sin and repentance – undoing and rehabilitating a relationship with God, the motivating factor of *teshuvah*, experiencing *teshuvah* from a place of mediocrity; and
d. the interaction between *teshuvah* and other themes, such as truth, integrity, humility, and joy in *avodat Hashem*.

The book's writing style follows Rav Lichtenstein's inimitable fashion, with complex sentences (somewhat attenuated, given the transcribed oral presentation format) drawing

upon both traditional Jewish sources and the occasional reference to classical Western literature to support its arguments. The study mixes halakhic analysis with spiritual reflection and includes some consideration of communal concerns as well. As one would expect from Rav Lichtenstein, the analysis relies not on pat generalizations and platitudes, but on a deep and broad consideration of each topic, establishing the scope of the topic at hand and staking out particular positions on various issues.

In particular, the style in many of the essays utilizes the "mapping out the topic" approach that would be familiar from Rav Lichtenstein's Talmud lectures. For one representative example, the essay "*La-Kol Zeman*: *Teshuvah* within Four Time Frames of Our Lives" analyzes the temporal aspect of *teshuvah* in a variety of ways: is *teshuvah occasional*, responding to a particular sin, or *annual*, to be carried out on a yearly basis independent of sin? Is it meant to be *perennial*, drawing upon previously resolved sins as part of the *teshuvah* process, or not? And to what extent should *teshuvah* be *perpetual*, carried out daily, because today might be one's last opportunity?

Comparing *Return and Renewal* and *On Repentance*

As regards content, given the proximity and similarities between Rav Lichtenstein's and Rabbi Soloveitchik's *teshuvah derashot,* a comparison between *Return and Renewal* and *On Repentance* is in order. It is only reasonable to compare the *teshuvah* writings of one great theologian and leader of Modern Orthodoxy with those of his son-in-law and *talmid muvhak*, who occupied a similar position for much of that audience. An analysis will reveal several points of contact, but also several distinctions between the two works.

Many classic Soloveitchikian themes of *teshuvah* are noticeable immediately upon consideration of Rav Lichtenstein's study: the heightened role of confession within repentance; the concept of standing before God; the power of free will; repentance in response to a shock; the concept of breaking the covenant; the exclusivity of *avodat Hashem* as servitude to God; *teshuvah* as elevating sins; the comparison between seeking out sins and seeking out leaven before Pesah; crisis as a *mehayyev* (obligating force) of *teshuvah*; and a future-oriented rather than past-oriented view of spiritual activity. Some of these can be traced further back as classical Maimonidean or Brisker themes, while others are more particularly the Rav's contributions. In any event, Rav Lichtenstein engages his father-in-law's *teshuvah* discourse by drawing upon these themes, at times citing the Rav. In fact, the volume's central distinction between two types of sin, to be analyzed below, is explicitly attributed to the Rav (p. 16):

> The Rav *z"l* used to speak frequently of "sin," meaning specific actions, and "the ways of sin," the whole context of lifestyle and personality out of which sin develops and by which it is sustained.

At the same time, however, Rav Lichtenstein evidences a fairly explicit shift away from certain Soloveitchikian themes. In comparing Rav Lichtenstein's writing on *teshuvah* to the Rav's, the argument from silence is instructive – Rav Lichtenstein leaves out almost completely any discussion of the Temple service on Yom Kippur, whose repentance-related themes comprise a core part of the Rav's *On Repentance*. Relatedly, Rav Lichtenstein avoids significant treatment of less prosaic topics such as the nature of the atonement afforded by the day of Yom Kippur itself, the metaphysics of sin and its stain, and the role of suffering in

expiating sin. While avoiding these more abstruse metaphysical topics, Rav Lichtenstein substitutes for them more experiential perspectives. Rather than emphasizing the metaphysics of sin and its impact on the broader world, he focuses on the phenomenology of sin, how it impacts upon the sinner and his or her relationship with themselves and with God. Rather than discussing the nature of Yom Kippur in the Temple of years past, Rav Lichtenstein turns to contemporary religiosity, considering what sort of introspection might be necessary for various communities. Even among more prosaic areas of Halakha that appear frequently in his volume, Rav Lichtenstein avoids overly involved discussion of the halakhic nuances. While these appear more frequently in *On Repentance*, *Return and Renewal* prefers to mention or gesture at them and then move on to focus on the more practical upshot from these discussions. For example, while the Rav dwells at length on the question of whether *teshuvah* can be commanded (*On Repentance*, pp. 15-18), Rav Lichtenstein notes the question (pp. 64-65) quickly, and then spends much more time contemplating whether *teshuvah*, and divine service more generally, is most spiritually meaningful and effective if commanded or if merely presented as an opportunity (pp. 65-68).

There would appear to be two ways to explain this divergence between the topical preferences of these two *gedolim*: one based on audience and genre, and the other based on discrepancies between the religious worldviews of the Rav and Rav Lichtenstein.

As regards audience and genre, Rabbi Soloveitchik's *derashot* from 1962-1974, on which the book is based, were given in Yiddish to an audience presumed to be able to follow some fairly complex halakhic reasoning and attracted Torah scholars outside of Modern Orthodoxy's immediate orbit. By contrast, Rav Lichtenstein's *derashot* were given from 1985 to 2010 in English either at Kehillath Jeshurun in New York, or at the Gruss Institute in Jerusalem, aimed at a general rather than a yeshiva audience. The audience's interest would have been best accommodated by minimizing excursions into complex issues of the Temple service of Yom Kippur, and even complex exposition of questions in *lomdus* relating to *teshuvah*. The use of more familiar textual sources would allow for paying attention to other matters close to the hearts and minds of the audience, including communal and humanistic concerns.

At the same time, however, the discrepancy might also be explained by reflecting on the distinct worldviews of the two presenters. For the Rav, for whom "out of the sources of Halakha, a new worldview awaits formulation," (*Halakhic Mind*, p. 102), halakhic argumentation is necessarily the beginning and end of any discussion about *teshuvah*. For Rav Lichtenstein, Halakha is certainly the core and basis of the entire institution of *teshuvah*, but many other sources of insight exist as well. In particular, contributions from humanistic sources, Jewish and otherwise, provide important reflections on how the process and experience of *teshuvah* should be viewed. For example, Socrates' aphorism that "the unexamined life is not worth living" is cited approvingly several times in the volume (pp. 16, 71, 147, and 150). While this approach might not be the focus of a *shiur* in Gemara and *lomdus*, for a more general reflection on *teshuvah*, this broader palette of prooftexts is appropriate for Rav Lichtenstein. In a sense, then, the works on *teshuvah* by these two colossi reflect their approach in their disquisitions on jewish thought more generally; whereas the Rav was more likely to go into extended and often abstruse halakhic discussion than was Rav Lichtenstein, the latter was more likely to take a broader perspective on the topic at hand and to cite humanist thinkers as sources of authority. Parenthetically, one might compare this distinction regarding these two thinkers' use of non-Jewish sources to their particular

approaches to ethics outside of halakhah, in "Does Jewish Tradition Recognize an Ethic Independent of Halakha" and *Halakhic Morality*, as I may do on another occasion.

The Volume's Key Question: Moral Repentance or Religious Repentance?

As noted above, there is really one primary *hakirah*, a particular question, that runs through the various essays in this volume – the distinction between *teshuvah* as fixing one's sins and *teshuvah* as returning to a better relationship with God. In fact, the theme appears so many times that it approaches the point of redundancy. One wonders whether an alternative organizational structure of the volume might have succeeded in integrating this theme, such that it appeared as a single, lengthy essay rather than being presented again and again (albeit from different perspectives) throughout the volume.

Many questions throughout the volume tie into this core question of moral repentance (fixing one's behavior) versus religious repentance (fixing one's relationship with God). Two sources on repentance in the Torah (Numbers 5 and Deuteronomy 30) and two versions of contemporary confession (*aval anahnu hatanu* versus the *al het* listing) each distinguish between a sin-oriented and relationship-oriented *teshuvah.* There are at least five aspects to sin, as is laid out several times in this volume (pp. 44-45, 62-3, 90, 122-3), which map onto the two categories. The impetus for *teshuvah*, whether it is based on a particular sin or on one's situation (whether individual or communal, whether a state of mediocrity or a crisis), also splits among these two questions. Whether combating sin should ideally be a struggle or not, the nature of communal repentance, and even the distinct emphases between Rosh ha-Shanah and Yom Kippur, tie in to this fundamental question pervading the entire volume. As was so often the case for Rav Lichtenstein's *hakirot*, the reader is asked to embrace both sides of the *hakirah*, and to strive for *teshuvah* to both repair the sin and the human-divine relationship.

Themes Relating to Rav Lichtenstein's Broader Oeuvre

While this central question dominates many of the essays from their various perspectives, additional perspectives and issues are taken up throughout the volume as well. Many of these integrate well with themes key to Rav Lichtenstein's worldview more generally, as one might have expected. Possibly most prominent among these themes is the close relationship between *teshuvah* and *avodat Hashem*, divine service in general. If *teshuvah* is meant to repair one's religious ways, an understanding of *teshuvah* must confront the nature of religiosity overall. Thus, the halakhic Jew's dual focus on the detailed regimen of *mitzvo*t and the sweeping relationship with God (p. 39-40, and addressed at length in Rav Lichtenstein's Orthodox Forum article on "Law and Spirituality") correlates well with both the topic of *avodat Hashem* and with the primary question of this volume. The theme of commandedness, and the related expectation of a strong work ethic, which is so core to Rav Lichtenstein's conception of religiosity (for both Jews and non-Jews), and discussed (among other places) in "To Cultivate and to Guard" (By His Light, ch. 1), appears several times as well (pp. 8-9, 24, 66-67, 89-90, 114, 134-35).

A good example of Rav Lichtenstein's characteristic nuance appears in the chapter on "Mediocre *Teshuvah* and the *Teshuvah* of the Mediocre" (pp. 97-120). While noting, on the one hand, that the Torah is less opposed to mediocrity than are certain 19th century thinkers, and that there is still value to *teshuvah* of this nature, Rav Lichtenstein also argues that such *teshuvah* is "grievously inadequate" (p. 110) and that it is the role of the one doing *teshuvah* to

do everything they can to escape the limitations of mediocrity. Still, if someone does the best he or she can, and yet falls short of a full and perfect *teshuvah*, God accepts the *teshuvah*, weighing the effort more heavily than the results, and yielding a process attainable by non-elites.

Teshuvah and Religious Humanism

Certain cases in the volume would appear to reflect Rav Lichtenstein's broader orientation as a religious humanist, as well. One example of this is his nuanced position (noted above) opposing elitism that excludes most religious practitioners, while at the same time having high expectations for the average person in his stirring push against mediocrity. This religious humanist framework allows each individual to pursue religious excellence on their own level.

Additionally, the question as to whether one should have a certain happiness as they go through the process of *teshuvah* is resolved with a "personal, intuitive answer" of "an emphatic yes" (p. 217) and only afterwards proven from sources. This position derives primarily not from a halakhic or *hashkafic* source, but from Rav Lichtenstein's developed religious humanist reflex that spiritual activities, even when difficult, must be attended by joy. A flourishing religious individual, fulfilling his or her telos of serving God, must be happy, even while fulfilling the difficult task of *teshuvah*.

Rav Lichtenstein's strong and consistent advocacy of guilt as a healthy religious reaction to sin throughout the volume (see pp. 62-64, 79-81, 89, 93, 110, 131, 208, 215) reflects his religious humanist worldview where what is demanded of a person is more than conforming certain actions and beliefs, but living a life "as ever in my great Taskmaster's eye," where failure of necessity entails a deep-seated guilt.

Related to this is the view that "*teshuvah*… is itself a crisis" (p. 130), as the religious individual's personality and life is torn apart as they attempt to reform themselves to properly stand before God again. The humanism inherent in the focus on the experience of the person in their religious experience facilitates the development of these novel formulations.

While being understanding of human weakness and not artificially assuming everyone is an elite scholar, and taking the human experience seriously throughout, this volume still strikes a fairly demanding pose (as one might hope for a *sefer* on *teshuvah*): It urges people not to accept the mediocre excuses of the *beinoni* (p. 105) and strongly rejects an attitude of fatalism in light of free will (e.g., pp. 1-4). The appropriate modulation of expectations for the religious practitioner is yet another expression of Rav Lichtenstein's religious humanism.

Commentary on the Modern Orthodox Community

In addition to the development of *teshuvah* themes of general interest, one feature of the volume is the explicit reflection on the Modern Orthodox community, and, at times, its contrast to more Haredi communities. Acolytes of Rav Lichtenstein will be familiar with some of these reflections from his articles "The Future of Centrist Orthodoxy" in *Leaves of Faith* vol. 2 and "Centrist Orthodoxy: A Spiritual Accounting" (*By His Light*, ch. 12), but the added valence of *teshuvah* provides for new perspectives and makes these comments pack an additional punch.

As in those volumes, a critical angle is often taken towards Modern Orthodox apathy. For example, the community is accused of lacking the proper passion in prayer (p. 31):

> For the Modern Orthodox Jew and his community in particular, the inclination and the capacity to pray properly and with passion, with a plaintive *cri de coeur* issuing *mi-ma'amakim*, from the depths, is often sadly deficient.

In his discussion of *timhon levav*, or the role of wondering, Rav Lichtenstein critiques both the Haredi and the Modern Orthodox worlds for failing to find the proper balance between introspection and self-certainty (pp. 155-56):

> [For the *Charedi* world] there is no *tim'hon levav* at all – just passionate certitude, never to walk against your best light, yet never examining what is the nature of that light…. In the Centrist world, by contrast, there is a surfeit of *tim'hon levav*… While the *Charedi* world is so certain that it, and it alone, has absolute, comprehensive, detailed truth, the individual in the Religious-Zionist world often doubts its ideals and its ideology, its goals and its methods. Riven by conflicting loyalties, driven by a quest for integration, he finds himself in a state of tension. He likes to see that tension as creative – it has an appealing ring – but on the other hand, he's not quite certain.

Certitude can't come at the expense of introspection, nor can an abundance of wondering at the propriety of one's religious community and its goals come at the expense of passion in living that life. This honest reflection on the limitations of both communities in this connection, is developed at length in the essay "Centrist Orthodoxy: A Spiritual Accounting."

The comfortable state of Modern Orthodoxy is representative of the modern era and its relative stability (certainly as compared to the poverty and high mortality rates of years past), which can lead to a sort of calmness and even lack of focus. To that end, Rav Lichtenstein notes the risk of being lulled into a sense of security (pp. 73-74):

> I need to focus upon the besetting sin, the inherent danger, of the Modern Orthodox community, the danger against which we need to be on our perpetual guard. That danger is, quite clearly, *heise'ach ha-da'at*, spiritual and religious inattentiveness.

One notes a similarity in themes to his previous essays, "*Bittachon:* Trust in God," in *By His Light* and "My Soul was Faith," in *Seeking His Presence*, as the community is charged to be attentive, to both investigate spiritual deficiencies and do what they can to fix them.

Conclusion

The essays collected in this volume aim primarily not at a *lomdish* analysis of *teshuvah* but at the phenomenological perspective of a religious humanist. Traditional Jewish sources, studded by references to the Western canon, form the backdrop against which success or failure to live up to one's personal or communal religious obligations must measure up. This volume develops the concept that sin creates a rupture, both on a local level and as it reflects on the relationship between the *oved Hashem* and his God, each of which must be repaired by

the penitent. The many insights into repentance included in the volume are deeply nuanced, and are of a piece with Rav Lichtenstein's writings more broadly.

The subtitle of this study by Rav Lichtenstein is "Reflections on Teshuva and Spiritual Growth." That description is certainly accurate, but what the volume offers goes beyond that. Each essay contains within it a charge – some more explicit than others, often directed at the individual, at times directed at the community – pushing for growth in *avodat Hashem*. For a religious community that has produced few *musar* books, this volume's subtle yet powerful religious thrust is significant. Even where the text does not explicitly call upon the individual in the second person, the tone and humanity of its pieces, the piercing ability to reach people on their own level, forces the reader to confront his or her own situation as they read this text.

The presumed readership of this volume is American and English-reading Orthodoxy writ large. To a large extent, this community might be described, with a critical eye, as composed of two groups: those who see Judaism as a mere adornment, embraced primarily to enhance quality of life, on the one hand, and those fully focused on studying Torah (and facilitating such study), to the absolute exclusion of any other endeavor. This volume, framed by the context of *teshuvah*, offers a third way: a Judaism that is based on the divine command and the imperative of *avodat Hashem* – divine service and maybe even servitude – but also offers a broad, textured approach to the world, one that values literature and the humanities, eschews religious extremism, and accepts the world's complexity. Of course, this worldview can be gleaned from Rav Lichtenstein's other writings as well, but it is in some ways more powerful to see such an integrative religious worldview come to life in a series of *derashot* on *teshuvah*.

Although Rav Lichtenstein has left this world, his enduring legacy – as regards *teshuvah* but also about *avodat Hashem* in general – lives on, as this volume furthers the return and renewal of his teachings.

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Rosh HaShanah and God's Battle For Compassion

Akiva Mattenson

U-netaneh Tokef, one of the most memorable pieces of the Rosh Hashanah liturgy, imagines the central drama of the day as a trial in which humanity is called to account before God, as the angels in the divine retinue declare, this day is "the day of judgment" [*yom ha-din*]. Often when we reflect on the significance of Rosh Hashanah as a day of judgment, we consider what it will mean for us to be judged: we engage in protracted self-reflection and a sober consideration of our shameful misdeeds. We try to embody sincere remorse and attempt to turn toward a path of righteousness. Our attention is focused on the tragedy of human sinfulness and the redemptive possibility of repentance [*teshuvah*].

Less often do we consider what it will mean for God to judge us. Yet, thinking through God's relationship with judgment may fruitfully complicate our picture of Rosh Hashanah as a cosmic trial of humanity. What's more, attending to God's part in the drama of judgment may be valuable in achieving a different understanding of the ritual fabric of the day. To engage in this theological work, we will turn to the corpus of rabbinic literature and consider the striking ways in which our sages imagined God's relationship with judgment.

God's Distinctive Strength: The Quality of Compassion

We should begin by noting the following: for the sages, God's strength, prowess, and power is most on display not in acts of stern judgment but in acts of tender compassion. This idea is explored in a moving *midrash* from the *Sifre* on Numbers. The textual locus for this *midrash* is the verses in Numbers in which Moses is told to gaze out over the land of Israel before meeting his end at its border. Drawing on the parallel account found in the book of Deuteronomy, the sages direct our attention to the impassioned plea for entrance into the land offered by Moses at this juncture:

> And I pleaded with YHVH at that time, saying, 'My Master, YHVH, You Yourself have begun to show Your servant Your greatness and Your powerful hand, for what god is there in the heavens and on the earth who could do like Your deeds and like Your might? Let me, pray, cross over that I may see the goodly land which is across the Jordan, this goodly high country and the Lebanon. (Deuteronomy 3:24–25)

In the course of his plea, Moses recollects God's great and unparalleled strength, which God has only begun to reveal. A plain-sense reading of these verses would understand the strength in question as something like physical might and dominance – the kind of physical might and dominance that was on display in God's liberation of Israel from Egypt. Indeed, throughout the book of Deuteronomy the "powerful hand" [*yadkha ha-ḥazakah*] of God is tied to the moment of the exodus and the miraculous, thundering power with which God punished the Egyptians and saved Israel. This point also helps make sense of the connection between Moses's reference to God's strength and his prayer for entrance into the land: He has only just begun to bear witness to God's might and strength through the punishment of Egypt and the conquest of the lands east of the Jordan. Thus, he prays for the allowance to see more of this might and strength as the people enter the land and conquer its inhabitants with the aid of God's strong arm.

Yet for the sages, the strength at stake in this passage is not that of overpowering might but overpowering compassion manifested in forgiveness and generosity. The *midrash* reads as follows:

> Another interpretation: *You have begun* [*ha<u>h</u>ilota*] (Deuteronomy 3:24) – You have profaned [*he<u>h</u>altah*] the vow. You wrote in the Torah, *Whoever sacrifices to a god* [*other than YHVH alone shall be proscribed*] (Exodus 22:19), and your children worshipped foreign worship, and I requested for them compassion and you forgave – You have broken the vow.
>
> *Your greatness* (Deuteronomy 3:24) – this is the quality of your goodness, as it is said, *And now, let the strength of my lord be great* (Numbers 14:17).
>
> *And your hand* (Deuteronomy 3:24) – this is your right hand, which is extended to all those who come through the world, as it is said, *your right hand, YHVH, glorious in strength* (Exodus 15:6), and it says, *but your right hand, your arm, and the glow of your face* (Psalms 44:4), and it says, *By Myself have I sworn, from My mouth has issued righteousness* [*tzedakah*]*, a word that shall not turn back* (Isaiah 45:23).
>
> *The powerful* (Deuteronomy 3:24) – For you subdue [*kovesh*] with compassion your quality of judgment, as it is said, *Who is a God like You, forgiving iniquity and remitting transgression* (Micah 7:18), and it says, *He will return, he will have compassion on us, he will subdue* [*yikhbosh*] *our sins, You will keep faith with Jacob* (Micah 7:19–20).
>
> *For what god is there in the heavens and on the earth* (Deuteronomy 3:24) – For unlike the way of flesh and blood is the way of the Omnipresent. The way of flesh and blood: the one greater than his friend nullifies the decree of his friend, but you – who can withhold you [from doing as you please]? And so it says, *He is one, who can hold him back?* (Job 23:13). R. Yehudah b. Bava says: A parable – to one who has been consigned to the documents of the kingdom. Even were he to give a lot of money, it cannot be overturned. But you say, "Do *teshuvah*, and I will accept [it/you], as it is said, *I wipe away your sins like a cloud, your transgressions like mist* (Isaiah 44:22).

The text begins with a playful revocalization of Moses's opening words that transforms "You have begun [*ha<u>h</u>ilota*]" into "You have broken [*he<u>h</u>alta*] the vow." In so doing, the sages shift our attention from the scene of the exodus suggested by the plain sense of the verses to the scene of the golden calf, in which God broke His vow to punish those who worship other gods. In that moment of Israel's profound failure, God's strength manifested itself not through physical might but through forgiveness and compassion. What's more, in speaking of God breaking the vow, the text implicitly rejects another pervasive conception of divine power and strength – namely, that divine power rests in stern and difficult judgment. It is not uncommon to hear compassion and forgiveness referred to as a kind of feebleness in contrast to the strength at work in administering justice even when it is difficult or tragic. The sages carefully avoid such a perspective and assert that divine strength lies not in holding to a vow even when it is challenging but in breaking a vow for the sake of compassion and forgiveness.

The themes introduced in this first part of the *midrash* are explored as the *midrash* continues. First, God's greatness is translated into God's goodness through the invocation of a verse tied to another scene of divine forgiveness and compassion – namely, the scene in the aftermath of the sin of the spies. Second, the hand of God, rather than extended against the enemies of Israel in a gesture of physical might is extended in a gesture of compassionate generosity. Indeed, verses tying the hand of God to the destruction and conquest of Egypt and other nations are reread in light of this rabbinic commitment to rendering divine strength as compassion. Third, God's power is understood as His compassion overcoming and subduing His quality of judgment. In the final piece of the *midrash*, we are reminded that God, unlike earthly kings, can break vows and overturn decrees in displays of compassionate forgiveness. Furthermore, when God does vow, it is to bind Himself in commitment to the kindness of *tzedakah*, as noted in the verse from Isaiah quoted by the *midrash*: "By Myself have I sworn, from My mouth has issued righteousness [*tzedakah*], a word that shall not turn back" (Isaiah 45:23). There is none who can withhold or nullify His decrees of compassion, generosity, forgiveness, and kindness.

God, Anger, and Judgment: The Divine Struggle to be Compassionate

Thus, what constitutes divine strength, what makes God unique and incomparable, is a capacity for compassion. This compassion sits in an uncomfortable tension with the rage that lights God against the enemies of Israel and the stern judgment that calls for unmitigated punishment. Yet it is precisely this tension that marks divine compassion as a strength. For it is only in mightily subduing a predilection for unmitigated judgment that God's compassion emerges victorious. This is the meaning of the striking phrase found in our *midrash*, "For you subdue [*kovesh*] with compassion your quality of judgment." There is struggle and conquest involved in the victory of compassion over divine judgment. The phrase calls to mind a teaching found in *Mishnah Avot* 4:1: "Ben Zoma says… Who is mighty? The one who subdues [*kovesh*] his impulse, as it is said, *one slow to anger is better than a mighty person and one who rules his spirit than the conqueror of a city* (Proverbs 15:16)." Just as human might emerges in the difficult and effortful conquest of our impulse toward wickedness, divine might emerges in the difficult and effortful conquest of God's impulse toward judgment and anger.

This notion that God is locked in a fierce struggle with His tendency toward judgment and anger and is striving mightily to act compassionately with His creatures comes to the fore in a beautiful text from *Berakhot* 7a:

> R. Yoḥanan said in the name of R. Yosi: From where [do we know] that the Holy Blessed One prays? As it is said, *I will bring them to the mount of my sacredness, and let them rejoice in the house of my prayer* (Isaiah 56:7) – 'their prayer' is not said, rather *my prayer*. From here [we know] that the Holy Blessed One prays. What does he pray? R. Zutra b. Tuviah said that Rav said: May it be my will that my compassion subdue my anger, and my compassion prevail over my [other] qualities, and I will behave with my children with my quality of compassion, and I will enter before them short of the line of the law.

Critically, God's will for compassion rather than anger or judgment is couched in the language of prayer. To pray for something is in some ways to admit that achieving that something lies beyond the ken of one's intentional capabilities. There is a measure of hope in prayer that signals a desire that may go unfulfilled. In this case, God's prayer for compassion

signals the degree to which victory against judgment and anger is not a forgone conclusion and the prevailing of compassion is something that will require effort and struggle.

This struggle is powerfully dramatized by the sages in a number of texts that reimagine God's anger and judgment as independent personified characters. The retributive aspects of God's nature become angels who can preclude Him from enacting His will and are often at cross-purposes with this compassionate God. Thus, in the case of divine anger we encounter the following passage from *Yerushalmi Ta'anit* 2:1:

> R. Levi said: What is the meaning of *erekh 'apayim*? Distancing anger. [This is compared] to a king who had two tough legions. The king said, "If [the legions] dwell with me in the province, when the citizens of the province anger me, [the legions] will make a stand against [the citizens]. Instead, I will send them off a ways away so that if the citizens of the province anger me, before I have a chance to send after [the legions], the citizens of the province will appease me and I will accept their appeasement." Similarly, the Holy Blessed One said, "*Af* and *Ḥemah* are angels of devastation. I will send them a ways away so that if Israel angers me, before I have chance to send for them and bring them, Israel will do *teshuvah* and I will accept their *teshuvah*." This is that which is written, *They come from a distant land, from the edge of the sky* [*YHVH and the weapons of his wrath–to ravage all the earth*] (Isaiah 13:5). R. Yitzḥak said: And what's more, he locked the door on them. This is that which is written, *YHVH has opened his armory and brought out the weapons of his wrath* (Jeremiah 50:25) …

Af and *ḥemah*, terms often used in the Bible to describe God's anger, are here transformed into "angels of devastation" that operate almost independently of God. In the *mashal*, they are compared to two military legions who would loose devastation on the citizenry at the slightest sign of the king's anger. It appears almost as though the king would be unable to hold them back from their rampage once they set forth against the people. This frightening independence is confirmed in the *nimshal*, wherein God sees a need not only to send them far away but also to lock them up. If they are allowed to roam free, who knows what havoc they might wreak. One senses in this text the precariousness of God's relationship with anger and wrath. At the same time, the sages make clear the profound efforts God makes to favor compassion and forgiveness.

Middat hadin, or "the quality of judgment," also becomes an autonomous character in the rabbinic imagination. Thus, in *Pesaḥim* 119a we read:

> R. Kahana in the name of R. Yishma'el b. R. Yose said that R. Shim'on b. Lakish in the name of R. Yehudah Nesi'ah said: What is the meaning of that which is written, *and they had the hands of a man under their wings* (Ezekiel 1:8)? 'His hand' is written. This is the hand of the Holy Blessed One that is spread under the wings of the *Ḥayyot* [i.e. angels] in order to accept those who do *teshuvah* from the grips of *middat hadin*.

In this dramatic scene, God spreads His hand beneath the wings of the angels so as to collect up the remorseful and repentant and protect them from falling into the hands of the less than sympathetic *middat hadin*. One is given to imagine that were these people to fall into the grips of *middat hadin*, God would be powerless to retrieve them or at the very least would need to

valiantly struggle for their release. In the cosmic drama, *middat hadin* is God's adversary, attempting to uphold the strict letter of judgment while God vies for the victory of compassion and forgiveness. The sages make this point clear in several texts that situate this struggle at various moments in our mythic-history. Thus, we are told that God constructed a sort of tunnel in the firmament so as to sneak Menasheh – the repentant wicked king of Yehudah – past *middat hadin,* who would surely have prevented his acceptance in heaven (*Sanhedrin* 103a). Similarly, when creating humankind, God disclosed to the ministering angels only that righteous people would emerge from Adam. God chose to conceal the future reality of wicked people, precisely because He was certain that had *middat hadin* known, it would have prevented the creation of humanity (*Bereishit Rabbah* 8:4). *Middat hadin* was also critical in delaying and precluding the exodus from Egypt. Witnessing the utter depravity of captive Israel who had adopted the customs and practices of the Egyptians, *middat hadin* could not allow for their liberation. Only on the strength of God's prior commitment and oath to redeem Israel was God able to defeat the uncompromising will of *middat hadin* (*Vayikra Rabbah* 23:2).

These texts are theologically audacious and undoubtedly jarring to ears accustomed to the staid contours of a Maimonidean God. God is a vulnerable, struggling God, fearful of the most dangerous and powerful members of the divine family – anger and judgment – and intent on defeating them through precautionary measures, wily maneuvers, and whatever resources are available. As we briefly alluded to earlier, this picture departs in certain ways from that painted by *Sifre Bemidbar* and *Berakhot.* In those texts, the struggle for compassion is rendered internal to God's person. Judgment and anger and compassion compete for attention in the divine psyche and God struggles mightily for the victory of His more compassionate side. Here, by contrast, judgment and anger are reified and externalized as members of the angelic retinue. It is worth pausing to consider how this impacts the drama. In externalizing anger and judgment, God is rendered wholly and incorruptibly compassionate rather than divided against Himself. This constitutes a certain sacrifice in divine psychological complexity. However, this sacrifice allows for richer imaginative possibilities when it comes to considering how God fights against judgment and anger for the victory of compassion – bolting the door against them, concealing facts from them, tunneling beneath them, etc. I don't wish to advocate for one of these images to the exclusion of the other. Each of these images captures something about the character of God's struggle with judgment and anger, and it will only be through the cumulative effect of seeing this struggle in multiple successive perspectives that we will appreciate its full-bodied richness.

"The Day of Judgment"? A Reconsideration

With this consideration of God's relationship to judgment in mind, we can now turn to consider the day of Rosh Hashanah and how it fits into this broader narrative. In *Vayikra Rabbah* 29:3, we encounter the following passage:

> Yehudah b. Naḥmani in the name of R. Shim'on b. Laqish opened: *God ascends amidst acclamation* [*teru'ah*]*; YHVH, to the blasts of the shofar* (Psalms 47:6). When the Holy Blessed One ascends to sit on the throne of judgement on Rosh Hashanah, he ascends for judgement. This is that which is written, *God* [*Elohim*] *ascends amidst acclamation* [*teru'ah*]. And once Israel take their *shofarot* and blow them, immediately *YHVH, to the blasts of the shofar*. What does the Holy Blessed One do? He rises from the throne of judgement and sits on the throne of compassion, and is filled with compassion for

> them and transforms the quality of justice into the quality of compassion for them. When? On Rosh Hashanah, in the seventh month on the first of the month.

In the rabbinic imagination, the names of God are to be associated with distinctive traits (see for example, *Sifre Devarim* 26). Thus, Elohim signifies God's quality of judgment while YHVH signifies God's quality of compassion. Capitalizing on this rabbinic trope, our *midrash* imagines the shift in divine epithets found in the Psalmic verse to signify a shift in God's character on the day of Rosh Hashanah. While God initially ascends the throne of judgment, the blasts of the *shofar* sounded by Israel move God to abandon the seat of judgment for that of compassion. This idea is one worth examining more closely.

First, this text might push us to reconsider the aptness of *yom ha-din* or "the day of judgment" as a name for Rosh Hashanah. If we take this text seriously, the day is less one of judgment and more one of the abandonment of judgment for the sake of compassion. It is part and parcel of the story of God's struggle against the potent force of strict judgment. The day is one on which the singular strength of God is on display, as God succeeds in conquering and subduing God's quality of judgment with compassion. In a certain sense, we might even take the commandment issued by God for Israel to sound the *shofar* on Rosh Hashanah as a prophylactic measure against *middat hadin*. God knows that the sound of the *shofar*'s blast will move Him to remember His deepest commitments, His truest self, and His love and compassion for Israel. For this reason, God assigns this tasks to Israel on the day He has set aside for judgment.

If we wish to deepen our appreciation of *Vayikra Rabbah*'s claim, we might turn to Maimonides' articulation of the purpose of the *shofar*. In *Hilkhot Teshuvah* 3:4, Maimonides writes as follows:

> Even though the sounding the *shofar* on Rosh Hashanah is a decree of the text, there is a hint for it. That is to say, "Wake up, sleepers, from your sleep and comatose from your comas, and return in *teshuvah* and remember your creator. Those who forget the truth through time's hollow things and wile away all their years with hollowness and emptiness that won't be of use and won't save, look to your souls and improve your ways and your deeds. And each one of you, abandon his wicked way and his thoughts, which are not good."

For Maimonides, the *shofar* is a piercing cry that wakes us from our slumbering attitude. In a world where we find ourselves forgetful of what is important, the sound of the *shofar* shocks us back into an awareness of our deepest commitments and moves us to abandon the hollow and useless things in life in favor of righteousness. In R. Yitzhak Hutner's rendering of this idea, "the *shofar* can bring to life the traces and transform something's trace or impression into its embodied fullness" (*Pahad Yitzhak*, *Rosh Hashanah* 20). For both Maimonides and R. Hutner, hearing the *shofar* is an activity designed for the benefit of human beings. However for *Vayikra Rabbah*, it would seem that hearing the *shofar* is something that also benefits God. If the *shofar* has the capacity to wake *us* from our slumber and restore vitality to our sedimented commitments, perhaps it has the same capacity to do so for God. Parallel to Maimonides' "Wake up, sleepers" might be the Psalmist's cry: "Rise, why do you sleep, lord?" (Psalms 44:24). God calls on us to sound the *shofar* to wake Him from His slumber and transform the trace of reserve compassion into its embodied fullness.

The Sound of the Shofar and the Tragic Costs of Judgment

But what is it about the sound of the *shofar* that so moves God to abandon judgment and return to His deep and fundamental commitment to compassion and forgiveness? We might find the beginnings of an answer through reflecting on the story of the binding of Isaac and its aftermath, a story we in fact read on the second day of Rosh Hashanah. In considering what motivated God to test Abraham with the sacrifice of his child, the late midrashic collection, *Yalkut Shim'oni*, imagines the following:

> Another interpretation: [This is compared] to a king who had a beloved [friend] who was poor. The king said to him, "It is on me to make you wealthy," and he gave him money with which to do business. After a time, he [i.e. the poor friend] entered the palace. They said, "For what reason is this one entering?" The king said to them, "Because he is my faithful beloved [friend]." They said to him, "If so, tell him to return your money." Immediately, the king said to him, "Return to me that which I gave you." He did not withhold, and the members of the palace were embarrassed, and the king swore to grant him more wealth. The Holy Blessed One said to the ministering angels, "Had I listened to you when you said, *what is a human being, that you are mindful of him* (Psalms 8:5), could there have been Abraham, who glorifies me in my world?!" *Middat ha-din* said before the Holy Blessed One, "all of the trials with which you tested him involved his money and property. Try him through his body." He said to him, "He should sacrifice his son before you." Immediately, "He [i.e. God] said to him [i.e. Abraham], *take your son* (Genesis 22:2). (*Yalkut Shim'oni, Vayera*)

In the eyes of this *midrash*, God's command to Abraham to sacrifice Isaac was issued at the prodding of *middat ha-din*. Skeptical of the fortitude and authenticity of Abraham's commitment to God, *middat ha-din* asks God to *truly* test Abraham through his flesh and blood rather than through his material possessions by asking him to sacrifice his son. The story of the binding of Isaac is thus cast as a concession of God to the skepticism of *middat ha-din*, the quality of judgment. Unobscured by the love God feels toward Abraham, *middat ha-din* coldly assesses the situation and desires a strict test of Abraham's righteousness.

This *midrash* is particularly striking as it evokes and plays with another narrative found in the Biblical canon – namely, the story of God's test of Job (Job 1–2). In the beginning of the book of Job, God boasts of Job's righteousness, prompting the Adversary or '*ha-satan*' to question the authenticity of Job's commitment. Like the attendants to the king in the *mashal* of our passage, the Adversary suggests that robbing Job of the material wealth God has showered upon him will test the strength of Job's piety. When this fails, the Adversary responds by discounting the previous test as insufficient. A true test of Job's piety will come when his body and flesh are inflicted rather than merely his wealth. This again is echoed in the comments of *middat ha-din*, who insists God try Abraham "through his body" [*be-gufo*]. The implication of this parallel is hard to ignore. By drawing on the narrative framework of the book of Job, the *midrash* in *Yalkut Shim'oni* casts *middat ha-din* in the role of satanic adversary to God. This text would then continue the trend we have seen of depicting *middat ha-din* in a tense and difficult struggle with God. Yet remarkably, if *middat ha-din* is the satanic adversary to God, then its suggestion of binding Isaac to the altar would seem to emerge in a strikingly negative light.

What then is the source of this ambivalence about testing Abraham through the sacrifice of his son? And what does all of this have to do with the sound of the *shofar*? One possible answer emerges from a *midrash* that first appears in *Vayikra Rabbah* 20:2:

> He took Isaac his son and led him up mountains and down hills. He took him up on one of the mountains, built an altar, arranged the wood, prepared the altar pile, and took the knife to slay him. Had [God] not called upon him from the heavens and said, *Do not reach out your hand* (Genesis 22:12), Isaac would have already been slain. Know that this is so, for Isaac returned to his mother and she said to him, "Where have you been, my son?" And he said to her, "My father took me and led me up mountains and down hills." And she said, "Woe for the son of a hapless woman! Had it not been for an angel from the heavens, you would have already been slain!" He said to her, "Yes." At that moment, she uttered six cries, corresponding to the six blasts of the *shofar*. They said, "she had scarcely finished speaking when she died." This is that which is written, *And Abraham came to mourn for Sarah, and to weep for her* (Genesis 23:2). Where did he come from? R. Yehudah b. R. Simon said: He came from Mount Moriah.

For this *midrash*, the binding of Isaac to the altar and his near-sacrifice had tragic consequences in the form of the death of his mother, Sarah. What's more, this *midrash* explicitly ties the pained cries of Sarah to the piercing sound of the *shofar*. If we consider this text together with our passage from *Yalkut Shim'oni,* what emerges is a searing indictment of *middat ha-din*. Strict judgment leaves casualties of pain, tragedy, and death in its wake, and it is for this reason that it should be seen as an unsympathetic, almost satanic adversary to which God sadly succumbed in asking Abraham to sacrifice his son. When administering strict judgment, one may become so myopically focused on the subject at hand that the unintended and violent consequences of rendering a certain verdict go unnoticed. *Middat ha-din* fails to note the mothers who suffer pangs of sorrow at the loss of children taken in the name of judgment and justice. Sounding the *shofar* recalls God to the moment of Sarah's tragic death and awakens God to the reality of *middat ha-din*'s violence and its many casualties. God cannot help but return to Himself, to His deepest commitments, and subdue the impulse toward judgment in the calming waters of compassion and forgiveness.

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"Looking for a *Havvayah*"
A Genealogy of "Experience" on the High Holy Days

Avinoam J. Stillman

Rosh HaShanah and *Yom Kippur* are times when many Jews search out religious experiences, whether by attending lengthy services at their local *shul* or by making pilgrimages to holy sites in Ukraine. Perhaps the founding myth of Yom-Kippur-as-experience is the tale of Franz Rosenzweig's decision to attend services on the Day of Atonement, on the brink of converting to Christianity. As Nahum Glatzer put it succinctly, "The experience of this day was the origin of his radical return to Judaism." While the majority of synagogue goers are not contemplating apostasy, many are hoping for some sort of transformative experience.

Yet for most of Jewish history, these holidays were not primarily seen as opportunities for religious experience. Rather, Jews prayed so as to participate in the yearly coronation of the Creator, and to attain atonement for their sins and blessings for the coming year. The soul-searching process of *teshuvah*, subjective as it may have been, was meant to have objective metaphysical results. However, ask a contemporary Jew what they're looking for in a Yom Kippur service, and you're liable to hear the reply "I'm looking for a *havvayah*" (חויה), employing the Hebrew term for "experience."

Haym Soloveitchik evokes a related phenomenon in his seminal essay "Rupture and Reconstruction." Soloveitchik bemoans that, after attending High Holidays services at a *haredi* yeshivah in Bnei Brak in 1959, "I realized that there was introspection, self-ascent, even moments of self-transcendence, but there was no fear in the thronged student body … The ten-day period between Rosh Hashanah and Yom Kippur are now Holy Days, but they are not *Yamim Noraim*—Days of Awe or, more accurately Days of Dread, as they have been traditionally called." The dread of these days, their cosmic significance, has been replaced by an introspective spirituality, perhaps angsty, but certainly not terrified. Somehow, for many modern Jews, the penitential goals of *Tishrei* seem involve intense experiences, not a fear of the outcome of God's judgment. One way to start untangling this conundrum is to ask how "experience" came to its current prominence in Western religious life.

Criticism of the concept of "religious experience" is a commonplace of contemporary study of religion. The primacy of "experience," as scholars like Wayne Proudfoot have argued, is an artifact of nineteenth century Romanticism. German Protestant philosophers such as Friedrich Schleiermacher aimed to discover an essential core of religion that could withstand biblical criticism, scientific empiricism, and unsettling encounters with non-Christian cultures. They settled on subjective experience as such an inviolable core; who could impugn an entirely inner experience?

The paramount example of this type of subjectivism is William James's monumental 1903 psychological study of religion, simply titled *The Varieties of Religious Experience*. In this light, the search for a "religious experience" on the High Holidays could be seen as merely a modern manifestation of subjective religion, one which disregards the metaphysical import of the days in classical Judaism. Yet, unless we are to entirely delegitimize modern iterations of religion, it behooves us to examine "experience" not merely as an apologetic term, but as an expression of real religious impulses. In our Jewish context, a brief genealogy of the Hebrew

word "*havvayah*" is in order, and can flesh out the relationship between experience and the traditional awestruck process of *teshuvah*.

The word *havvayah*, commonly translated as "experience," was coined in 1910, with the publication of the first part of A.D. Gordon's socialist Zionist philosophical work *Man and Nature* in the journal of the *Po'el Ha-Tzair* (Young Laborer). Hebrew was not alone in coming late to an independent word for "experience"; in many other non-European languages, such as Japanese, words for experience were wholly absent until the nineteenth century. However, unlike the many modern Hebrew words coined for recent technological inventions, *havvayah* was not intended to fill a practical linguistic need.

Rather, *havvayah* forms a central piece of Gordon's philosophical project. Gordon grew up in the traditionally observant Jewish world of Eastern Europe, and by all accounts he did not abandon Orthodox praxis until he left Russia in middle age to join the *kibbutz* of Degania. As one of the more important figures of the "Second *Aliyah*," the wave of Eastern European Jews who immigrated to the Land of Israel in the first decades of the twentieth century, Gordon both valorized and participated in the agricultural labor of the socialist Zionist pioneers. His attempt to create a spiritual basis for the *kibbutz* ethos has thus often been referred to as a "religion of labor," one which drew both on Kabbalah and Hasidism and on Zionist ideology.

In *Man and Nature*, composed on the *kibbutz*, Gordon analyzes the interaction between the human subject and the world of nature. He compares a person in nature to a fish in water; without even being aware of it, the presence of nature around the subject grants her vitality. However, people in the modern world have become like fish out of water; people feel a distance, a "tear" between themselves and nature. The reason for this alienation is their reliance solely on what Gordon terms "consciousness," meaning self-conscious, analytical discrimination of external objects, to the detriment of "life," the holistic connection between subject and object:

> [A person] comprehends all that they comprehend through the medium of consciousness only by the power of life, and the division of consciousness from life is like removing the soul of consciousness.
>
> That is to say, life—especially in its human form—is … the foundation for all human comprehension, not just a particular aspect of being, but a particular aspect of comprehension.

"Life" is not just a way of being—as opposed to death, or non-being—but is also an "aspect of comprehension." That is, there is no such thing as consciousness which is detached from the lived world. The material which consciousness processes and analyzes has to emerge from vitality. The modern predicament is the disjunction between consciousness and life. However, Gordon finds the term "life" insufficient as a description of the ideal state of human being and thinking in the world:

> This term [life] doesn't supply precisely what is necessary: On the one hand, it is usually used to indicate different forms or states of life (social, national life, eternal life, temporal life, physical life, spiritual life, etc.) and it is difficult to constrict it precisely to its cosmic-human indication; on the other hand, it is not a small problem that life [*ḥayyim*, (חיים)] is in the plural form and that its form resembles the plural adjective. So,

> with no other option, I will allow myself to innovate a term in the form *havvayah* (חויה), on the [grammatical] model of "being" [*havaya*, הויה].

"Life," with its range of social and conceptual applications, is too broad a term; Gordon is only discussing the word life's "cosmic-human" indication, that is, the human state of being in the world. Furthermore, for stylistic and grammatical reasons, Gordon feels it necessary to invent a new word. Therefore, Gordon takes the word "being," *havayah*, as a grammatical example, and combines it with the word "life," *ḥayyim*, and to form *havvayah*. In English, I might translate *havvayah* not as experience, but as "living-and-being." Boaz Huss, in his *The Mystification of the Kabbalah and the Myth of Jewish Mysticism*, claims that "the concept *ḥavvaya* is a translation of the German concept *Erlebnis*, which filled a central role in the concepts of neo-Romanticism in the beginning of the twentieth century." While there is certainly some overlap between the terms—"erlebnis" could be translated hyperliterally as "living-through-ness"—I will attempt show in what follows that Gordon's term is no mere translation of German neo-Romanticism into Hebrew, but is rather an original concept which draws on kabbalistic sources in a Zionist context.

The remainder of the lengthy chapter in which Gordon coined *havvayah*, entitled "*Havvayah* as the Vessel of Comprehension," expands expressively on the characteristics and metonyms of *havvayah* and consciousness. Essentially, however, *havvayah* is "the faculty which interfaces between being and consciousness." The alienation of the modern person, exemplified by the overly intellectual Jew, can be overcome by reengaging with *havvayah*, which for Gordon meant, practically, a life of physical labor. Agricultural labor, the epitome of a creative engagement with nature that does not merely objectify but participates in nature, actualizes *havvayah*. Thus, Gordon's concept provides the justification for the *kibbutz* ethos. One assumes that the relationship was reciprocal: Gordon's life on the *kibbutz* deepened his familiarity with physical labor, and led him to conceptualize the relief from alienation it granted him.

Gordon's concept reflects socialist Zionist rhetoric concerning the creation of a "new Hebrew," one engaged in productive labor, as opposed to stereotypical Jewish involvement in non-productive, monetary ventures. However, it would be simplistic to reduce *havvayah* to an anti-Diasporic catchphrase; Gordon's linguistic innovation draws on methods and concepts found in kabbalistic and Hasidic literature. The very portmanteau of *havvayah* plays on kabbalistic traditions of wordplay and the meditative combination of the letters of various divine names (*tsirufim*). Given Gordon's pantheism, it would be conceivable to construe both "life" and "being" as names of Gordon's God, which he combines to gain another linguistic hold on divinity. The resemblance of *havvayah*—the letters ḤVVYH—to the Tetragrammaton, Y-H-V-H, further emphasizes Gordon's kabbalistic method. Furthermore, Gordon uses the terms *tzimtzum* and *hitpashtut*, or contraction and expansion, to describe, respectively, consciousness and *ḥavvaya*.

These terms originate in the Lurianic Kabbalah, in which *Eyn Sof*, the transcendent, infinite Divine, is said to "contract" itself in order to "make room" for creation. A state of full expansion of God's infinity would leave no room for existence. Therefore, *tzimtzum* of God's infinite expanse is necessary for creation in all its particularity. Similarly, Gordon remarks that *havvayah* is not independently a basis for acts of will, emotion, or any personal agency, as it is too broad a summation of the mode of being in the world. The function of

discriminating, analytic consciousness is thus to "contract" *havvayah*, and to enable individuality. Consciousness is both necessary and positive, when appropriately balanced with "living-and-being."

In his work on Gordon's kabbalistic sources, Avraham Shapira also points out the essential parallel between Gordon's binary of *havvayah* and consciousness and the paired kabbalistic *sefirot* of *ḥokhmah* and *binah*. In kabbalistic literature, and particularly in the Hasidic thought of the Maggid of Mezerich, these *sefirot* are conceived of as related forms of intellect. The first of the pair, *ḥokhmah*, is understood as a singularity, an undifferentiated "point" that contains all information, prior to any division or differentiation. *Binah* is the "circle," the cognitive faculty that processes, elaborates, and analyzes the "point," the raw data of *ḥokhmah*. The ineffable, vital *havvayah* is thus reminiscent of *ḥokhmah*, in that it contains within it the potentiality of all thought. Discursive consciousness fulfills the discriminating role of *binah*, which the Zohar describes as the origin of all judgements. Just as in the Zohar the *sefirot* of *hokhmah* and *binah* are called *abba* and *imma*, father and mother, the "two companions who do not separate," for Gordon there is no consciousness without *havvayah*, nor *havvayah* without consciousness.

The kabbalistic correlates of Gordon's concepts are as important for understanding his thought as are his Western philosophical influences. His kabbalistic sources attenuate what might otherwise be a purely Romantic exaltation of experience, or a crudely Zionist denigration of analytic thought. Rather, *havvayah* complements and enables healthy human consciousness. Gordon's conception of *havvayah* is not synonymous with "experience" in the modern sense, either as it is employed colloquially by Hebrew speakers or by scholars of religion.

There are two main meanings of the term "experience": the first is "having experience" and the second is "having an experience." The former refers to the sum of events lived through, and the wisdom accrued thereby. Religiously, this is the type of "experience" hopefully attained by someone who studies in a *beit midrash* for years, or spends much of their time doing acts of charity or counseling those in pain. The latter is a momentary state of lived reality, of exceptional perception. This is the type of "religious experience" attained by people dancing ecstatically, or who have a sudden epiphany of God while observing the beauty of nature. Gordon's *havvayah* is neither of these. Rather than being a specific series of events or a singular and fleeting "peak" experience, *havvayah* is the raw substrate of consciousness. It is the simple "living and being" which provides the platform for abstract thought, but which we are all too liable to forget.

What might this all mean for Jews looking for a *havvayah* over the high holy days? Gordon claims that many of us are blind to the basic facts of our existence. This alienation from physicality was already noticeable in the nineteenth century; even more so, *kal va-homer* in the increasingly disembodied digital world. I don't know whether Gordon would agree with me here, but it seems to me that deeper awareness of our living-and-being in the world goes along with deeper humility about our finite human lives. The process of *teshuvah* would then be an attempt to get back in touch with *havvayah*, with our embeddedness in the world.

In contrast to Rabbi Abraham Isaac Kook, for whom *teshuvah* means a return to our Divine source, Gordonian *teshuvah* means discarding the abstractions which cause us to forget how

fragile and human we are. The High Holy Days allow not just for an experience of Divinity, but for a *havvayah* of humanity. That is why, for Gordon, the paradigm of the return to *havvayah* is re-engagement with physical labor, not psychic reverie. For us, the physicality of fasting might paradoxically fill a parallel role, to the degree that it allows us to inhabit our bodies more sensitively.

God comes into the story when we correlate Gordon's *havvayah* with the words of the *piyyut*—to pick just one of myriad examples in the liturgy—which declares that we are "like matter in the hands of the Maker." Awareness of the limits of our physicality is an opening for awareness of God. Finally, looking for a High Holy Days *havvayah* need not be a search for a fleeting experience, even for an experience of embodiment. Gordon did not mean to discard thought in favor of a brute, human *havvayah*, but rather to recalibrate the relationship of our consciousnesses to our lives. The *havvayah* of *Tishrei* provides primal spiritual matter to digest and process throughout the year. Whether crowding together with thousands of Hasidim in Uman, or sitting stiffly on benches of a Young Israel, true *havvayah* can reaffirm our physicality and dependence on God, and lay a foundation for the intellectual and professional labors of the coming year.

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"Like a Fleeting Dream": *U-netaneh Tokef*, Dreams, and the Meaning of the High Holy Days

Oren Oppenheim

U-netaneh Tokef is the centerpiece of the Rosh Hashanah and Yom Kippur *Mussaf* services. It's stirring and emotional ("And let us now relate [the holiness of this day]"). Tradition has it that this prayer was authored by the medieval sage Rabbi Amnon of Mainz. Many *siddurim* and commentaries relate the famous legend of how Rabbi Ammon refused to convert to Christianity. His body was mutilated, and, before he died, Rabbi Amnon recited the *U-netaneh Tokef* prayer. Though scholars doubt the facts of Rabbi Amnon—even his existence—its reception in traditional lore makes its theme worthy of consideration.

U-netaneh Tokef touches on three major themes: God judges and determines the fate of mankind on Rosh Hashanah and Yom Kippur; man is powerless in the face of God; God endures for all time. After its stirring declarations, the prayer bleeds into the *Kedushah* service.

A certain phrase in the middle of *U-netaneh Tokef* is striking: *ki-halom ya'uf,* as the ArtScroll editors render it, "like a fleeting dream." The phrase appears at the end of a list of analogues to man: man is compared to "a broken shard, withering grass, a fading flower," and a few other transitory and dying things. But among all of the comparisons, "a fleeting dream" is the only one that is truly invisible and intangible. Unlike the others, it exists only in the mind. It also closes out the second theme of *U-netaneh Tokef*, leaving a lasting impression on the reader before he transitions to the theme of God's greatness and eternalness.

What is the significance of "a fleeting dream," and what makes it so appropriate for a prayer that ties into Rosh Hashanah and Yom Kippur?

It is worth taking a look back at the legend surrounding the first recounting of the *U-netaneh Tokef* tale, leaving the debate surrounding its origins aside. The thirteenth century talmudist, Rabbi Yitzhak ben Moshe, tells the tale in his Talmudic commentary *Or Zarua* (2:276). His retelling concludes with the following:

> [R. Amnon] appeared in a night vision to our Rabbi Kalonymos … and he taught him that very *piyyut*: *U-netaneh tokef kedushat ha-yom;* and he commanded him to distribute it throughout the far reaches of the Exile, that it might be a witness and memorial to him—and the *gaon* [the sage] did so (translation, Lawrence A. Hoffman, *Who by Fire*, 26-28).

According to this, *U-netaneh Tokef* has **endured** as a part of the High Holidays liturgy because of a "**fleeting** dream." Something so transitory—a dream never lasts long, and is difficult to remember well upon awakening—brought about something that has lasted a millennium.

On the most basic level, the parallel between the story's conclusion and the prayer itself hint at the theme that dreams—as an analogue for man—could be less fleeting than they seem, even if they are infinitely less than eternal. Intangible dreams, paradoxically, can have an impact. The ideas a person gets from a dream could change his life and the lives of others, like *U-netaneh Tokef*'s impact on the Jewish people through its placement in the liturgy because, according to the story, Rabbi Kalonymos heard it in a dream.

This might be meant to hint that, similarly, man's actions—even those that seem fleeting and insignificant—can have an impact, positive or negative. A few words of gossip can ruin someone's reputation; a moment of carelessness in a store could damage hundreds of dollars of goods. A *raison d'être* of the High Holy Days is to examine those actions and repent for those which caused devastating effects.

Dreams also tie into a common Rosh Hashanah practice, albeit in an indirect way. Rabbi Moshe Isserles—the Rema)—on *Shulhan Arukh*, *Orah Hayim* 584:2, writes: "There are also those who do not sleep during Rosh Hashanah during the day, and this is the correct thing to do." In other words, it isn't right to spend the day in slumber but rather to use it for prayer, learning, and other pursuits--not for sleeping and dreaming. *Mishnah Berurah* (583:9) cites a possible source for this custom, a quote in the *Talmud Yerushalmi* (the exact location in the *Yerushalmi* is no longer extant): "One who sleeps on Rosh Hashanah, his *mazal* [luck; fortune] sleeps, [as well]." A person who takes the holy day lightly by using it for some rest is said to be doomed to a sleepy, unlucky year.

But the absence of dreams during the day of Rosh Hashanah might also be relevant.

Perhaps Rosh Hashanah and, by extension, Yom Kippur are not days for dreaming about the future. God Himself is the one who creatively deliberates our fates; as the prayer itself says, "so shall You cause to pass, count, calculate, and consider the soul of all the living; and You shall apportion the fixed need of all Your creatures and inscribe their verdict." The act of dreaming—including when it comes about by sleeping on the day of Rosh Hashanah—is also rather passive. In the midst of slumber, a person doesn't put his dream together through any sort of action. Instead, it just comes.

Rosh Hashanah and Yom Kippur are days for looking inwards, examining past deeds, and connecting with God actively—not through passive means. Dreams can be significant, but at this juncture, they are simply fleeting. Right after "like a fleeting dream," the prayer exclaims

what must be done next, something far more tangible and active than a dream: "But repentance, prayer, and charity remove the evil of the decree!"

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Steely Dan and Rosh Hashanah

Ari Lamm

Walter Becker died over the weekend.[2] As one half of the band Steely Dan, Becker was not exactly a household name in my own Jewish community. It's not that Modern Orthodox Jews don't like rock music—they most certainly do—it's just that there's a more or less defined canon of artists around which most of this fandom revolves, including the Beatles (and the other British invasion bands), Bob Dylan, Billy Joel, Neil Young, and Simon and Garfunkel.[3] If Leonard Cohen counts as part of this genre, I'd stick him in there as well. I doubt, however, that Becker's death will inspire the same sort of religious introspection as did Cohen's last December.

And that's a shame because I love Steely Dan.

I don't just love Steely Dan as a diversion. I love Steely Dan because their music is wonderful, thoughtful and haunting, and I think it's good for my *neshamah*.[4] Their music is especially meaningful to me at this time of year, as our thoughts naturally turn to the opening chapters of 1 Samuel. That, of course, is a sentence in need of some unpacking if ever there was one, and so I'll begin with a bit of background.

Steely Dan's two core members, Donald Fagen and Walter Becker, are two of the most maniacal perfectionists in the recent history of music. Their songs sparkle with a slick, cerebral exactness. Over time, they came to rely more and more on session-musicians. In fact, for a while, in the mid-to-late seventies, they retired from touring altogether to become

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[2] I'd phrase that less laconically, but it would feel like an inauthentic tribute to his oeuvre.

[3] I'm not exactly sure why this is the canon, but it is. If you're interested in writing about this, it just so happens that I know people at *Lehrhaus*.

[4] I obviously can't make any promises on that last score. But note that I am trying to impose a *humra* here. If you think listening to music—or partaking of other forms of amusement—is just a diversion then it is almost certainly true that you should be imbibing a lot less of it than you currently are. Incidentally, I wholeheartedly concur with the following sentiment from Rabbi Shalom Carmy, offered in the context of sports: "Whatever the positive goals to which involvement in sports culture can be applied—physical, social, or recreational, it is hard to make the argument that the sports culture ought to be an important part of our education and an essential leisure activity. It seems clear that investing huge quantities of time and attention to following sports, purchasing expensive paraphernalia and articles of clothing and footwear because they are marketed using the name and image of a famed and charismatic athlete, agonizing over the fortunes of favorite teams and players as if these were earthshaking events in our own lives, is foolish and invites satire."
Two points: 1) This quote is from an average Rabbi Carmy article, which is to say that the article is extraordinarily insightful. Do read the whole thing. 2) I realize that my argument here is not the same as Rabbi Carmy's in that article.

a studio-only band. Every note had to be perfect, to the point where, reportedly, they would ask musicians to record up to forty takes of each track. In fact, most people who dislike Steely Dan cite this proclivity for perfection as their reason. Trying to enjoy a Steely Dan song, I've been told, is like admiring a calculator for adding together two large numbers. It's not that the summing is unimpressive, it's just that it's not art.

Now, to be honest, I've always admired their sonic exactitude for its own sake. But there is so much more to Steely Dan than just that. Artistically the meticulous presentation is only surface deep. It covers up a world that is gritty and grimy, populated by severely unreliable narrators, and desperate, often miserable, sometimes sleazy characters. A Steely Dan song's immaculate exterior more often than not masks something either sinister, depressing, or both.

Take "Peg," for example, off of 1977's multi-platinum *Aja*. "Peg" is one of the most successful singles Steely Dan ever released. It opens with a warm progression of jazz chords, before settling into an upbeat refrain accompanied by a cheerful horn lick.[5] The first time I heard the song I was in high school, and it sounded to me like a chipper song about a loving relationship between the narrator and the titular Peg. In any case, the iconic chorus and gripping guitar solo[6] were so good that I didn't give it too much thought.[7]

Further listening, however, was repaid in full. Lyrically, the song is a conversation between the narrator and a woman, Peg. The narrator encourages Peg to get excited for her debut in the entertainment industry, her name lighting up a grand marquee. "So won't you smile for the camera / I know they're gonna love it." You could listen to the song a hundred times and mistake Peg for a young, up-and-coming Hollywood actress. But coded warnings to the contrary lie scattered across the song. Peg's audition photo is "done up in blueprint blue," and the narrator tells the listener in a winking aside that the film is "your favorite foreign movie." As law professor Scott Beattie reminds us in his recent book, "blue film" and "French film" were once both popular euphemisms for pornography. All of a sudden, the cajoling tone throughout the song takes on a more malevolent, coercive cast. In fact, if you listen very closely near the end of the song as the chorus rings out a third time, you'll hear a background audio recording of a voice protesting "I don't want to do this." In the end, "Peg" is a delightful, shiny, perfectly played song that cheerfully conceals a terrible act of exploitation in plain sight.

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[5] I want to say the horn used is a lyricon, but that's mostly through process of elimination based on the song's Wikipedia page.

[6] By the way, for a great window into the otherworldly nuttiness of working with Steely Dan, read this account of what it took to record that guitar solo.

[7] In my defense, De La Soul's sampling of this song on the sweet, breezy track "Eye Know"—set against a sample from Otis Redding's "(Sittin' On) A Dock of the Bay" no less(!)—has probably similarly misled many a hip hop enthusiast.

Every year before Rosh Hashanah I find myself returning to the first several chapters of 1 Samuel. The entire Rosh Hashanah liturgy is extremely fertile ground for close study, but I've always been especially taken with the *haftarah* for the first day, taken from 1 Samuel's first two chapters. This *haftarah* recounts Hannah's prayer for a child, her confrontation with the High Priest Eli, the birth of Samuel, Hannah's surrendering Samuel to service in the Tabernacle at Shiloh, and Hannah's song of praise to God. It's an incredibly powerful, emotionally jarring chapter and a half.

This year I read through it with "Peg" in the background.

Here's the first thing that occurred to me: I've always read the beginning of 1 Samuel—always heard it discussed—as if it were the introduction to Samuel's life story. It is, to an extent. But read through that lens, it's easy to miss some of the counter-messages in those chapters. That is, if 1 Samuel 1-2 (and 3-4 for that matter) narrates a heroic beginning, the whole world in which that beginning unfolds seems lighter, and pregnant with potential. It's a world in which the priests of Israel played the ritual roles they were meant to play (1.1); in which all of Israel gathered together at the Temple during festivals (1.1, 21); in which the highest religious official in the land, Eli himself, waited around to interact personally with pilgrims to the Temple (1.9); in which the people of Israel merited a prophet in their midst (3.19); in which the Ark of the Covenant still resided with people of the covenant (4.5). Of course things weren't perfect, but readers[8] often treat the imperfections as so much brush that merely needed to be burnt away so that Samuel could rise like a phoenix from the ashes.

But remember "Peg." Here too the bright, shiny exterior conceals a rotting core. The society of the early chapters in 1 Samuel was fundamentally sick. The priests of Israel were utterly corrupt (2.12); whenever the Israelites would gather at the Temple, they would be shaken down (2.16). Indeed, consider in this light Eli's encounter with Hannah.

> 12 As she continued praying before the Lord, Eli observed her mouth. 13 Hannah was praying silently; only her lips moved, but her voice was not heard; therefore Eli thought she was drunk. 14 So Eli said to her, "How long will you make a drunken spectacle of yourself? Put away your wine." 15 But Hannah answered, "No, my lord, I am a woman deeply troubled; I have drunk neither wine nor strong drink, but I have been pouring out my soul before the Lord. 16 Do not regard your servant as a worthless woman, for I have been speaking out of my great anxiety and vexation all this time." 17 Then Eli answered, "Go in peace; the God of Israel grant the petition you have made to him" (1.12-17).

[8] ...at least this reader.

I've always read Eli's mistake in line with Rashi's commentary (to 2.13), namely, that it was a chance misunderstanding. After all, most petitioners prayed out loud, while Hannah prayed in silence. Eli mistook her heartfelt intent for intemperance. Indeed, Abarbanel (in his comment on 2.12) suggested that Eli, in fact, recognized Hannah from previous pilgrimages and was concerned for her wellbeing.

But even with Rashi and Abarbanel in hand, before "Peg" I had never paused to contemplate how strange this story remained. That is, even assuming Hannah's behavior was out of the ordinary, why on earth would Eli assume the cause was inebriation? Of all the places to find drunkenness, wouldn't the last place in the world be in the Temple?

But that's precisely the point. Israelite society at the time was "Peg." It was rotting on the inside. At a time when even the priests were thugs, it was only a matter of course for Eli to assume that he might find a drunk in the middle of the Temple.

Indeed, read this way 1 Samuel 1-4 picks up right where the narrative of Judges ended. Judges (chapters 17-21) concludes with an account of the idolatry perpetrated by the tribe of Dan, and the harrowing story of the concubine of Gibeah, and the resulting Israelite civil war. In line with the rabbinic principle (e.g. Sifre Bamidbar 64) that readers should not presume Biblical narrative to proceed in chronological sequence, the legendary twentieth century Biblical scholar Shemaryahu Talmon[9] demonstrated conclusively that as a matter of chronology, these stories actually belong at the beginning of Judges. Why, then, were they designated as the work's coda? It appears to me that the reason is to close the book by emphasizing the degradation of Israelite society. The reader who turns immediately to 1 Samuel should thus notice that nothing has changed since the end of Judges.

Moreover, the narrative in 1 Samuel takes pains to emphasize how oblivious the Israelites were to their spiritual condition. Here, too, Steely Dan is important.

After an extended hiatus, Fagen and Becker would reunite for the album *Two Against Nature* (2000). That album includes one of my favorite Steely Dan songs, "Cousin Dupree." Set to a sneering guitar riff, a hyperactive beat, and Donald Fagen's trademark whine, "Cousin Dupree" recounts the travails of a typically Steely Dan-esque character: Dupree, a lecherous creep constantly ogling his cousin. Eventually Dupree makes a pass at her, and she rebuffs him in the strongest possible terms, citing "the skeevy look in your eyes" and "the dreary architecture of your soul." Dupree's response? "But what is it exactly turns you off?"

[9] Talmon, who passed away just recently in 2010, was a fascinating figure. He was detained for three months in Buchenwald before escaping to Palestine. He would go on to win the Israel prize for his work on Tanakh.

That line floors me every time I listen to the song. The towering obliviousness! The obnoxious self-absorption! She brutally lets him have it, but he simply refuses to acknowledge that anything is wrong.

Think now about the end of 1 Samuel 4. While Samuel was coming into his own as a prophet, his people were in the midst of an extended war with the Philistines. In the wake of an unexpected defeat at the battle of Ebenezer, the Israelites arm themselves with the Ark of the Covenant, expecting God's presence to overwhelm their enemies. The result, of course, is that the Philistines rout the Israelites and capture the Ark, in the process killing Eli's two corrupt sons, Hophni and Phinehas. The latter's wife hears the news of her husband's death just before going into labor:

> 19 Now his daughter-in-law, the wife of Phinehas, was pregnant, about to give birth. When she heard the news that the ark of God was captured, and that her father-in-law and her husband were dead, she bowed and gave birth; for her labor pains overwhelmed her. 20 As she was about to die, the women attending her said to her, "Do not be afraid, for you have borne a son." But she did not answer or give heed. 21 She named the child Ichabod, meaning, "The glory has departed from Israel," because the ark of God had been captured and because of her father-in-law and her husband. 22 She said, "The glory has departed from Israel, for the ark of God has been captured."

This is a tragic story, full of pain and *pathos*. In an emotional sense it's impossible to push past the fact that it's a tale about a freshly widowed bride who dies in childbirth. But literarily I can't help but hear "Cousin Dupree" whining in the back of my head. Consider the narrative circumstances. The reader has just been battered with tales of corruption and bullying; with a High Priest whose default assumption about a (non-standard, to be sure) petitioner in God's Tabernacle is that she's a drunk. And amid all this social decay, it took a large-scale military defeat to compel the recognition that "the glory has departed from Israel" (4.21)?[10] This beggars the mind! Israelite society was rotting from the inside; the capture of the Ark was a symptom of the problem, not the cause. And yet there seems to be no acknowledgement whatsoever of the larger structural problems with Israelite society. No wonder that in just a few short chapters (1 Samuel 8), the people would ask for a king "like all the other nations" (8.5). After all, for many it must have seemed that there was little that was morally distinctive about Israelite society. So why not just be done with it and have a king like everyone else? Once again, the Israelites exhibit no willingness to do the difficult work of understanding the systemic problems plaguing their community.

"But what is it exactly turns you off" indeed.

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[10] Although it doesn't necessarily impact my broader point, I should note that Shawn Zelig Aster has highlighted the fact that glory (*kavod*) in this sense is a technical term.

Now here we are, on the cusp of Rosh Hashanah, about to read some of these stories afresh. As Tanakh's eternal values echo down through the generations, it is imperative that we constantly re-apply ourselves to the task of extracting meaning from its sacred words. This year, in the wake of Walter Becker's passing, it seems to me an opportune time to consider the gloomy reading of the chapters comprising, and surrounding the *haftarah* for the first day. The story of these chapters, on this reading, is of a nation of Israel that failed to grapple with its structural moral and spiritual challenges. We too, of course, live in an era in which the fissures cracking the surface of contemporary society appear to be systemic. Whether the culprit be racism, anti-Semitism, ignorance of an opioid crisis, all of the above, or something else entirely, it is our responsibility to consider deeply the root causes of our divisions. Indeed, rather than lamenting the consequences of this or that proxy issue for our problems, let us take the opportunity during this new year to examine the problems themselves. In what ways have we fundamentally failed? Have we created a "Peg"-like society? Have we donned the oblivious mantle of Dupree? How might we do better?

Fortunately, when the Jewish people—when *am yisrael*—are living up to the Torah's Godly ideals, we are enormously capable of serving as a powerful force for good in our world. May the coming year therefore be one of frank honesty, and moral majesty.

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Surrender or Struggle? The *Akeida* Reconsidered

Herzl Hefter

The story of the Binding of Isaac, *Akeidat Yitzhak*, is often invoked to teach that we must sacrifice our autonomous sense of right and wrong on the altar of Divine authority. This reading of the *Akeida*, too easily enlisted in support of the repression of our moral voice, begets damaging consequences. In this essay, we will consider the *Akeida* from this perspective , offer a critique, and then propose a reading of the *Akeida* that redeems healthy and refined human moral intuitions and restores to them their proper valence in the consideration of normative questions.

The Problem of Choice: Soren Kierkegaard, Professor Leibowitz and Rabbi Soloveitchik

Most of us were taught that the ordeal was about what has been termed "the problem of choice." Abraham must make the agonizing choice to either follow his moral inclination and his filial love, or obey the Almighty.

This reading of the *Akeida* was inspired by the great Protestant theologian, Soren Kierkegaard, who in *Fear and Trembling*, pits the ethical against the religious. Abraham's obedience is a momentary suspension of the universal ethical imperative and an assertion of the superiority of divine fiat over any ethical system.

Kierkegaard's basic assumption was accepted by the late Professor Yeshayahu Leibowitz (*Yahadut, Am Yehudi, u-Medinat Yisrael*, p. 392). Like Kierkegaard, Leibowitz sees Abraham's submission as central to the *Akeida* narrative. Human surrender bears testimony to the theocentric nature of the Torah and the primacy of divine command over anthropocentric morality. Leibowitz would label a voice that calls on us to follow the humanistic ethical imperative (and thus prohibits the murder of one's innocent child) as heretical and idolatrous because it places narcissistic self-worship over God worship.

Rabbi Joseph B. Soloveitchik likewise understood obedience to God's command and self-sacrifice as the central lesson of the *Akeida*. In his popular work, *On Repentance*, we find the following:

> The son does not "belong" to him [i.e. Abraham] and there is no room here for any arguments, symposiums or other evasive maneuvers. "And the Almighty called to him." The attribute of Judgement calls. It is a command which demands fulfilment without hesitation. Abraham hears the command—he accepts and obeys. (*Al Ha-teshuva*, p. 167, Hebrew edition)

This interpretation emphasizes and safeguards God's radical "Otherness." It asserts that since God and His will are inscrutable, all that we can know is what God reveals to us, either

through personal illumination (namely, prophecy) or collectively, through the law. According to this approach, subjective human experience and intuition are suspect and not a reliable medium for divine revelation or normative behavior.

This thesis is rooted in the authentic humility with which Rabbi Soloveitchik lived his life. Back in 1975 the Rav spoke these powerful words:

> …the study of the Torah is an ecstatic, metaphysical performance; the study of Torah is an act of surrender. That is why Hazal stress so many times the importance of humility, and that the proud person can never be a great scholar, only the humble person. Why is humility necessary? Because the study of Torah means meeting the Almighty, and if a finite being meets the Infinite, the Almighty, the Maker of the world, of course this meeting must precipitate a mood of humility, and humility results in surrender...

For those who devote themselves to the study of Torah, these words are as resonant today as when the Rav spoke them more than 40 years ago.

The Rav goes on to state more explicitly what he thought needed to be surrendered. This also is the basis of how the Rav interpreted the *Akeida*:

> What do we surrender to the Almighty? We surrender two things: first, we surrender to the Almighty the every-day logic, or what I call mercantile logic, the logic of the businessman or the utilitarian person, and we embrace another logic—the logic *m'Sinai*. Second, we surrender the everyday will, which is very utilitarian and superficial, and we embrace another will – the will *m'Sinai*. (RCA Convention, 1975)

The Rav's speech was a very meaningful response to the narcissism of the "me generation" of the 1970's, which was characterized by an overemphasis on individuality, "self-actualization," "self-realization," and unapologetic hedonism. The negation of self through submission to the external authority of religion is an important corrective to "each man doing what is right in his eyes."

Philosophically, in this statement, Rabbi Soloveitchik assumes that the Torah is rooted in an "otherworldly" reality that comes down to us with absolute clarity, demanding our submission. Our instincts, intuitions, and moral and aesthetic senses are belittled and perceived as obstacles to comprehension of the Platonic Truth of Sinai.

Thus, according to Rabbi Soloveitchik, Prof. Leibowitz, and Kierkegaard, the divine message of the *Akeida* is clear and Abraham's test is in the choice he must make: follow his heart, his paternal love, and his refined moral sense, or follow the unambiguous, revealed will of God.

The Problem with the Problem of Choice

The idea that Torah is somehow antithetical to common sense has emerged from this reading of the *Akeida*. The notion that the less sense something makes the greater its religious value has unfortunately gained traction in recent years and has echoes of Tertullian's credo, "I believe because it is absurd". Indeed, Kierkegaard invokes the third century Church Father in his interpretation of the *Akeida*. But this view is difficult to square with the words of the Torah itself:

> Keep therefore and do them; for this is your wisdom and your understanding in the sight of the nations, who shall hear all these statutes, and say, "Surely this great nation is a wise and understanding people.... And what nation is there so great, that has statutes and judgments so righteous as all this law which I set before you this day? (Devarim 4:6, 8)

The laws of the Torah, the Torah says of itself, are recognizable as "righteous and wise" not only by Talmudic scholars, but by the uninitiated nations of the world as well. (The Rav himself often quoted this verse in jest as a prooftext that it is prohibited to be foolish. Being stupid, he would say, is an abrogation of a positive commandment to be a wise nation.)

Moreover, as appealing as this interpretation is as a corrective to to the excesses of romantic individualism, it divorces religion from the most refined human sentiments and forces a choice between them. It undermines self-confidence and autonomy and represses the moral voice. This leaves sensible people vulnerable to the authority wielded by those less worthy than the Rav. We are enjoined to sacrifice our instincts and intuitions on the altar of divine revelation. By invoking the absolute authority of divine revelation and its derivative—the text—over our own moral sentiments, the actual outcome is to establish **the authority of interpreters of the text** over our autonomous sense of right and wrong. This is because what **is** divinely revealed by the text is a product of human interpretation; it is only as "good" as the interpreter.

In the words of R. Nahum of Chernobyl:

> The Torah is called a mirror ("*aspaklaria*"). One sees their own face in the mirror according to their own characteristics. One who has expunged the evil from within makes the Torah into perfect good, extracting it from the aspect of the Tree of Good and Evil, which is the fatal poison. (*Me'or Einayim*, Shemot)

In other words, when the Torah is interpreted by someone with morally repugnant character traits, it is made to yield "fatal poison" that reflects those traits. When it is interpreted by someone with refined character, it "makes the Torah into perfect good."

Sadly, we are all too familiar with instances in which Torah interpreters attempt to serve us the fatal poison, invoking the Torah in support of morally repugnant positions. Is it really safe to jettison our own sense of right and wrong in the face of these interpretations?

This approach also begets manifestations of moral insensitivity that are less overtly injurious but, for that reason, more pervasive. The authoritarian reading of the *Akeida* has subtly led to intolerance, self-righteousness, and arrogance. According to this reading, the *Akeda* settled, once and for all, the question of whether to follow anthropocentric, subjective morality or the divine command. We can now sleep soundly at night in the secure knowledge that when we are faced with similar challenges and choose obedience to the law , we are following the will of God as we are supposed to do. This orientation has resulted in a dulling and distrust of moral sensitivities in favor of what is deemed to be God's revealed will and identified with "The Halakha," "The Torah," or "The Gedolim." Often, when moral considerations are raised in halakhic discussions, they are labelled and dismissed as Christian, secular humanist, western, or just plain "*goyish*" influence. "Authentic Judaism," the argument goes, "has the Torah, and we **know** what to do. The *Akeida* teaches us that eternal lesson."

An Alternative: The Problem of Hearing

A second approach to the *Akeida* begins by questioning the very nature of prophecy and Abraham's apprehension of God's commandment to him. The question is not whether Abraham will obey God; that question, in a sense, may be deemed trivial. Rather, the question is: **What is the divine command, and how does Abraham know what it is?**

When we focus on what has been termed "the problem of hearing," the *Akeida* is no longer a story of submission to authority. It is a drama of excruciating soul-searching, played out in the recesses of Abraham's heart.

Immanuel Kant sharply formulated the problem of hearing when he wrote:

> Abraham should have replied to this putative Divine voice: "That I may not kill my good son is absolutely certain. But that you who appear to me are God is not certain, and cannot become certain, even though the voice were to sound from the very heavens." (Kant, *The Conflict of the Faculties*, quoted in Jerome Gellman, *The Fear, the Trembling, and the Fire*, p.3)

Kant's portrait of the *Akeida* (to which Kierkegaard was actually responding) makes a sharp contrast between the law ("Thou shalt not kill"), which is crystal clear, and the personal illumination of Abraham, which is enshrouded in a cloud of uncertainty.

The following midrash also locates the drama of the *Akeida* in how Abraham will interpret the Divine voice.

> When they were travelling, the Satan came to Abraham. He said to him, "Old man, `what are you thinking? Are you going to slaughter the son who was granted to you by God when you were one hundred years old? **I am the one** who has deceived you and instructed you saying, 'Take your son….'" (*Midrash Aggadah Bereishit, Vayera* 22)

The Satan should be read as a projection of Abraham's inner turmoil and worst fear. Abraham is suspended between heaven and hell without a clear way of determining the True Will of God. Did Abraham actually hear the voice of God, or was it perhaps the voice of the Satan? Once the question is raised, Abraham's ordeal becomes an agonizing nightmare.

The *Zohar* reinforces this reading, in which Abraham grapples with the uncertainty of his understanding of God's command:

> "And Abraham raised his eyes and saw the place (*ha-makom*) from afar…." He apprehended [God] from afar, through an occluded lens (*aspaklaria de-lo nehira*). (*Zohar Bereishit, Vayera*, p. 97)

The *Zohar* offers an original interpretation of the word "*ha-makom*," which in the context of the verse simply means "the place." However, since in other rabbinic contexts the word "*makom*" refers to God, the Omnipresent, the *Zohar* interprets the verse to mean that Abraham saw **God** from a distance. Seeing God from a distance, through an unclear glass, means that the revelation depends upon subjective interpretation and that certainty is elusive.

Thus, according to the *midrash* and the *Zohar* (as well as Immanuel Kant), Abraham's apprehension of God's voice was shrouded in uncertainty. This is an essential characteristic of all prophecy and not limited to Abraham's experience.

Perhaps surprisingly, both Rambam and the Hasidic masters gesture in the same direction. In Rambam's view, the phenomenon of prophecy is part of nature as created by God—not some miraculous occurrence. Human beings are endowed with an innate capacity to achieve prophecy. God is constantly broadcasting; the divine overflow is as much a part of the natural world as gravity. Through tremendous intellectual and spiritual effort, the refined human being can apprehend it. Consequently, the attainment of prophecy is considered the highest form of human perfection (*Guide* 2:32ff).

By extension, this means that prophecy is induced and conditioned by life circumstances: not only one's spiritual efforts, but also one's frustrations, trials, challenges, deepest desires, and most terrifying fears. The content and style of the prophecy is worked out in the prophet's consciousness. It is in human consciousness that the divine encounter is absorbed, interpreted, and translated.

This point of view is consistent with how Hasidic masters describe the experience of divine revelation. *Sefat Emet* (*Parshat No'ah*, 5641-1881) relates to two models: God as the voice of

authority, which is experienced as being external to the person, who hears the voice of God as unequivocal Lawgiver, and God as an interior and intuitive voice. In the first model, the voice of God has a transcendent quality, as one might experience the voice of conscience—a distinct voice in one's mind. In the second model, one experiences **as their own** insights, awareness, and desires that, as a matter of faith, we attribute to God.

R. Tzadok Hakohen of Lublin (*Tzidkat Ha-tzadik* §261) emphasizes the second model when he explains that the "burning palace" ("*bira doleket*"; see *Bereishit Rabba* 39:1) that begat Abraham's faith was actually the turbulence, confusion, and wonder in his very own heart. Faith in God, according to this model, is a product of immediate human experience rather than an encounter with something "out there." The instrument of Divine revelation is the human heart; it is in the heart that He dwells and through the heart that (to the extent that it is at all possible) He may be known.

Back to the *Akeida*

This brings us back to Abraham. We can now flesh out the elements of his experience that place him in this impossible situation and thus find the meaning in his predicament.

Based upon our understanding of revelation formulated above, we may suggest that there were two competing voices in Abraham's consciousness: an external voice and an inner voice. The following *midrash* describes Abraham's experience of an external voice, telling him that he may not kill: "The Satan says to Abraham: Tomorrow God will say you are a murderer; you are guilty of shedding your son's blood" (*Bereishit Rabba, Vayeira* 56). The second voice, the voice that tells him to sacrifice Isaac, is actually experienced as interior—his personal and subjective illumination—echoes of the voice of the Almighty calling for his beloved son's blood.

The *Akeida*, then, cannot be about submission to the unambiguous, express will of God through the subjugation of healthy moral and human sentiment, because Abraham experienced God's will as personal illumination, fraught with uncertainty. There are contradictory elements shaping Abraham's state of mind. His personal illumination, which he intuitively recognizes as divine, contradicts his deeply held love for his most beloved son, his internal refined sense of morality, and the clarity of the divine law prohibiting murder of innocents. The terrible demand Abraham experiences emerges from this compound. It is actually the finger of the Satan, according to the *midrash*, which points to the objective, "crystal-clear" law prohibiting murder.

We return to Kant: "That I may not kill my good son is absolutely certain." The source of Abraham's terrible dilemma emerges when he brings the law, which he holds to be certain, into conversation with his powerful subjective illumination; the uncertainty of the occluded lens to which the *Zohar* refers emerges from this dynamic.

The interior/intuitive model of divine revelation is invariably accompanied by an experience of uncertainty. Since the experience which I am having is "my own," how can I be certain that it is the true will of God? In the words of R. Mordechai Yosef Leiner of Ishbitz, "Even prophecy requires a great deal clarification (*berur*) in order to determine whether it is truly from God" (*Mei Ha-Shilo'ah* I, *Kedoshim*, p.118).

The Ambivalence of Chosenness and the Need for Clarification (*Berur*)

What is the meaning of Abraham's terrible predicament, and how is he supposed to navigate his way through it?

In order to understand the meaning of the *Akeida*, we must place the story in the context of the book of *Bereishit*, return to the dawn of Abraham's spiritual journey, and explore the idea of being chosen by God.

The emergence of Israel as God's chosen people is the leitmotif of the narrative arc of Bereishit. It accounts for the emphasis on genealogy as well as the tense family dramas and competitions between Ishmael and Isaac, Jacob and Esau, and Joseph and his brothers.

And Abraham, being the first of the chosen line, is consumed with this idea and what it means for him, his family, his destiny, and the destiny of his offspring. His anxiety is apparent throughout Bereishit 15 and especially in verse 8, when he asks God: *"*Lord God, whereby shall I know that I shall inherit it?*"*

Chosenness stirs ambivalent feelings for Abraham as well as for us, his descendants. For Abraham there is a conflict between his universalistic tendency (expressed in his deep concern for wicked Sodom, Lot, Ishmael, his angelic guests, and his special comrades) and the desire to father a particular people who will carry on his legacy and serve as a vehicle for the divine presence in the world. For us, millennia later, it can still be said that the most orienting belief that many of us share is the notion that we are God's chosen people. Some view being chosen by God as a sacred responsibility toward humankind, while others view it as a sort of privilege or entitlement, an attitude that can devolve into clannishness and even xenophobia. Even if we set aside the odious expressions of the belief in chosenness, the doctrine raises inherent tensions between universal concerns for humanity and the particular concerns we are entitled to have for our people.

In addition to stirring the conflict between universalism and particularity, chosenness carries another complicating characteristic: It is a divinely bestowed blessing. In Bereishit 12:1, God commands Abraham: "*lekh lekha*…" ("go forth"). Rashi cites a *midrash* to explain the repetitive language: *"lekh **lekha**"—*"go forth **for yourself**." Go forth for your own benefit. The verses go on to guarantee Abraham and his descendants everlasting blessings:

> The Lord said to Abram, "Go forth from your country, and from your homeland, and from your father's house, to a land that I will show you. I will make of you a great

nation, and I will bless you and make your name great; and you shall be a blessing. I will bless those who bless you, and curse him who curses you; and through you shall all families of the earth be blessed." (Bereishit 12:1-3)

Being chosen by God is complicated. It is accompanied by ambivalent feelings and comes with benefits as well. And therein lies the problem.

Human beings have a way of seeing the world through their own eyes and interpreting things according to their own best interest. We do this even when we don't mean to. That is why the Torah is so adamant in the prohibition of taking bribery—even to adjudicate a case justly. The Torah is not concerned exclusively, or even primarily, with the judge who will decide consciously in favor of the guilty party. The prohibition against bribery is primarily to protect against the judge whose judgement is tainted by self-interest.

We may be inclined to believe that this confusion only applies to common people engaged in the decisions and judgements of everyday life. Divine revelation—prophecy from God—is often understood as an objective experience of whose meaning the prophet is certain. Accordingly, the role of the individual prophet, like the ass of Bil'am, is reduced to that of a technical instrument to deliver God's message.

But this is not so. We can now understand, as the Ishbitzer wrote, that "even prophecy requires great clarification."

The *Akeida* as the *Berur* of Abraham's Chosenness

Abraham experiences in the deepest (prophetic) sense that he and his descendants were chosen by God, and he believes that this experience is the voice of God. He feels the destiny, the history, and the sacred responsibility. Yet he also feels the security that God will be with him and his descendants forever, never to forsake them. (Indeed this feeling continues to be a source of hope and strength for many Jews today.)

Here's the rub. Precisely because being chosen is a source of comfort and security, Abraham cannot be certain whether the initial call and promise of "*lekh lekha*" are the voice of God or a projection of his own desires. Abraham needs to reach deep inside and comprehend the word of God as revealed to him in his heart in a way that transcends his interests, desires, personal loves, and familial connections. His life, his future, his destiny—everything is riding on this desperate determination. Paradoxically, only when Abraham hears that same voice once again saying "*lekh lekha*," but this time telling him to destroy that which he desires most—a sense of security in the knowledge that his destiny and progeny are linked with God forever—can he feel certain that the initial voice, the voice of promise, is authentic as well.

Once Abraham meets the agonizing challenge of selflessly hearing the voice of God, he can also comprehend the divine promise of chosenness with added force and conviction, experiencing it with an aura of finality:

> And the angel of the Lord called unto Abraham out of heaven a second time, and said: "By Myself have I sworn," says the Lord, "for because you have done this thing and have not withheld your son, your only son, I will bless you and multiply your seed as the stars of the heaven and as the sand upon the seashore; and your seed shall possess the gate of his enemies." (Bereishit 22:15-17)

The divine intent here is twofold: to clarify for Abraham (as well as to us, his descendants) that our chosenness is authentic, and more significantly, that chosenness is rooted in selflessness and sacred responsibility, not in self-interest or privilege.

Tough Choices

Reading the *Akeida* as a problem of the choice that Abraham needs to make between divine authority and his human sense of love, fealty, and morality places submission at the center of the *Akeida* drama. While submission to authority, particularly from a place of humility, has significant religious value, over-emphasizing it has negative consequences. What often follows is a devaluation of human autonomy, undermining of healthy self-confidence, and abrogation of moral responsibility. In place of these important qualities, we are often witness to insensitivity and self-righteous arrogance.

When we emphasize the problem of hearing, the fullness of Abraham's experience is brought out and the drama becomes an interior one. As God's revelation unfolds in Abraham's heart, he needs to make sense of it. Abraham perceives that he and his offspring are God's chosen. Is this perception self-serving or authentic? He needs to know—and so do we. When Abraham displays the ability to disregard the Satan, as represented in the *midrash*, and to interpret God's revelation as he did, setting aside all self-interest, and **even going against the clarity of the law** in favor of his own illumination, we learn that our chosenness is not a self-serving, ethnocentric notion. Thus, we open ourselves to the possibility of comprehending it as a selfless vision, inspired by love and concern for all humankind.

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There's No Need to Sacrifice Sacrifice: A Response to Rabbi Hefter

Tzvi Sinensky

Rabbi Herzl Hefter has made remarkable contributions to Jewish education and Jewish thought. It is therefore with trepidation that I respond to his post, "Surrender or Struggle: The *Akeidah* Reconsidered." Still, given the high exegetical and theological stakes, I feel compelled to write.

The Problem of Choice

Rabbi Hefter opens by summarizing and critiquing an interpretation of the *Akeidah* that he calls "The Problem of Choice." On this reading, the fundamental question is whether or not Abraham will obey God's theologically disorienting and emotionally wrenching command. Abraham passes the test by listening despite the apparent absurdity. Rabbi Hefter ascribes this view to Soren Kierkegaard, Yeshayahu Leibowitz, and Rabbi Soloveitchik.

The invocation of these three thinkers, however, biases the discussion from the outset. The Problem of Choice interpretation is not just the favored interpretation of three (outstanding) thinkers; *it is the overwhelmingly obvious interpretation of the Akeidah.* Abraham's affirmation "*hineni*, here I am," connotes humility and piety, implying a readiness to perform the divine will (*Tanhuma Vayera* 22; cf. Rashi on Genesis 22:1 s.v. *hineni*). God's emphasis on Abraham's love for Isaac underscores the emotional devastation the father inevitably will suffer. At the story's climax the angel declares, "For now I know that you fear God, since you have not withheld your son, your favored one, from Me" (Genesis 22:12). The emphasis on fear of heaven, even setting aside the rabbinic assertion that *Elokim* denotes divine justice, favors The Problem of Choice. To ascribe this reading to Kierkegaard, Leibowitz, and Soloveitchik papers over the fact that The Problem of Choice is nothing more than *peshuto shel mikra* (the face reading of the text). The author of our Rosh Hashanah liturgy, for one, certainly agreed: "And [Abraham] suppressed his compassion to perform Your Will with a complete heart."

What is more, Rabbi Hefter's selection of the each of these thinkers may be construed as representing a non-normative view, implicitly marginalizing The Problem of Choice. As Rabbi Hefter notes, Kierkegaard's theory of "the teleological suspension of the ethical" is inextricably bound up with his fideism, a philosophical standpoint that is anathema to the majority of traditional Jewish thinkers. The same may be said of Leibowitz, an important but extreme thinker for whom the introduction of an autonomous moral compass is synonymous with idolatry. Finally, in the case of Rabbi Soloveitchik, Rabbi Hefter sidelines the Rav's interpretation by historicizing it as a response to the members of the 1970s "me generation." To select these unrepresentative philosophies is to unfairly stack the deck before the cards have been dealt.

Rabbi Hefter's critique of The Problem of Choice similarly falls short. While acknowledging that this interpretation "emphasizes and safeguards God's radical Otherness" and can both reflect and engender profound humility, Rabbi Hefter rejects this reading on the strength of three arguments. First, the Torah explicitly asserts that the nations view God's laws as steeped in wisdom (Deuteronomy 6:8). This is contrary to the Tertullian credo, "I believe because it is absurd," which Rabbi Hefter notes has "unfortunately gained traction in recent years." It is impossible to reconcile a rational, humane Torah with the Fideistic faith system demanded by a Kierkegaardian *Akeidah*.

Second, because this interpretation "divorces religion from the most refined human sentiments," it leaves people vulnerable to rabbis "less worthy than the Rav." The well-meaning Jew is at risk of outsourcing his ethical autonomy to unworthy guides.

Finally, Rabbi Hefter forcefully asserts:

> the authoritarian reading of the *Akeidah* has subtly led to intolerance, self-righteousness, and arrogance… This orientation has resulted in a dulling and distrust of moral sensitivities in favor of what is deemed to be God's revealed will and identified with "The Halakhah," "The Torah," or "The Gedolim." Often, when moral considerations are raised in halakhic discussions, they are labelled and dismissed as Christian, secular humanist, western, or just plain "*goyish*" influence. "Authentic Judaism," the argument goes, "has the Torah, and we **know** what to do. The *Akeidah* teaches us that eternal lesson."[11]

While Rabbi Hefter does an important service by calling attention to the potential pitfalls of an overemphasis on blind submission, the argument seems overly reactionary and, in any case, the exegesis doesn't follow. That Kierkegaard's interpretation can lead—or, according to Rabbi Hefter, even has led—to unhealthy excesses is not ipso facto reason to reject it outright. An alternative would be to place an educational emphasis on achieving a healthier balance between autonomy and submission. Presumably Rabbi Hefter would agree that *kabbalat ol malchut shamayim* (submission to the yoke of heaven) plays a critical role in the halakhic tradition. So why throw out the baby with the bathwater?

The Problem of Hearing

[11] If I understand him correctly, Rabbi Hefter makes a similar argument in his July 19, 2015 Times of Israel blog post, "Why I Ordained Women." Although there too Rabbi Hefter emphasizes the importance of submission alongside autonomy, in the end he seems to side strongly with the autonomy view instead of attempting to hold the two in healthy balance.

Rabbi Hefter's preferred interpretation, "The Problem of Hearing," while ingeniously creative, seems similarly implausible. He begins by invoking Immanuel Kant, who claims that Abraham should have disregarded the command because it might have been a mere figment of Abraham's active imagination. Rabbi Hefter further cites a *midrash* and *Zohar* in support of the thesis that God's command is ambiguous. This ambiguity, moreover, is not particular to Abraham's vision preceding the *Akeidah*, but is a fundamental feature of prophecy generally. As the Hasidic masters taught, prophecy is not a mediated revelation. Instead, the prophet filters his or her understanding through one's consciousness and personality. Prophecy, on this account, does not involve a purely external command but *becomes an essential part of the prophetic personality*. The *Akeidah* is therefore not about Abraham's obedience to an external command but to his innermost voice.

This theory of prophecy gives rise to what Rabbi Hefter calls "The Problem of Hearing." Due to the human element, there is a risk that the prophet has heard his own voice, not that of God. The prophet must therefore ascertain the divine origins of the vision. In Hasidic thought this is known as the need for *berur*. On this reading, the *Akeidah* no longer hinges on a conflict between Abraham's inner moral instincts and God's heteronomous will. Instead, it is about the patriarch's struggle to ascertain that the inner voice demanding the sacrifice of his son is truly that of God. How does Abraham know? How does he arrive at his *berur*?

Here, Rabbi Hefter suggests that we must begin with a wider observation regarding Abraham's chosenness. While constituting a tremendous privilege, chosenness generates a significant degree of ambivalence for Abraham, as it does for the modern Jew. Abraham asks himself, is it possible to be the progenitor of a chosen people while maintaining compassion for *all* humanity? This leads the patriarch to question whether, from the dawn of his career, his election was credible. If his selection is morally questionable, perhaps it is a product of Abraham's desire and not truly the word of God.

It was the *Akeidah* that enabled Abraham to resolve the problem that had been haunting him. The events of Genesis 22 taught him that his election was not about his selfish aspirations but about serving a higher cause:

> Paradoxically, only when Abraham hears that same voice once again saying "*lekh lekha*," but this time telling him to destroy that which he desires most—a sense of security in the knowledge that his destiny and progeny are linked with God forever—can he feel certain that the initial voice, the voice of promise, is authentic as well.

The *Akeidah*, in other words, served as a *berur* for the veracity of Abraham's entire life mission.

This approach, Rabbi Hefter concludes, allows the reader to avoid the pitfall of reading the *Akeidah* as a clash between submission and autonomy. Instead, we may read the narrative in a fashion that preserves Abraham's healthy sense of autonomy—the *Akeidah* confirms that his visions were authentically his own—and emphasizes the humane and universal dimensions of Abraham's chosenness.[12]

Rabbi Hefter's reading, as stated, is highly creative. On both textual and analytical grounds, however, it seems indefensible. First, the citation of Kant seems off the mark. Kant's interpretation was intended not as an interpretation of the Torah but as a critique thereof. Of course, this does not mean that Kant's interpretation cannot offer us any insight into our question. Still, it is significant that Kant cannot, on his own, support The Problem of Hearing. *Au contraire*. He rejected the biblical account precisely because, like Kierkegaard, he read it as following the Problem of Choice. It is just that instead of defending Abraham, Kant instead denounced Abraham's act as immoral.

Second, the hypothesis that Abraham had questioned the verity of his chosenness throughout his career is specious. True, Abraham questions his worthiness, and perhaps even God's commitment, in chapter fifteen. Yet following the Covenant of the Pieces, there is nary a hint of Abraham's ambivalence. (Note that it is Sarah, not Abraham, who laughs upon hearing the news of her impending pregnancy.)

Third, Rabbi Hefter asserts that Abraham followed his internal compulsion to kill his son not due to God's command but because it clarified his mission's selfless nature and therefore his chosenness. This is extraordinarily difficult to accept. The text of chapter 22 notes only God's recognition that Abraham is God-fearing. According to Rabbi Hefter, the text should have spotlighted Abraham's personal enlightenment.

Finally, the entire line of argument seems difficult. Abraham has been commanded to kill his son. On its face, this contravenes the ethos of "justice and righteousness" that God had set out as the mission for Abraham's family (*Genesis* 18:19). It similarly seems to deny the merciful message God conveyed to Abraham by showering mercy upon the residents of Sodom. In directly contradicting His promise that Isaac would continue Abraham's line, God obviously muddies the waters of Abraham's mind. It seems implausible to assert that it was precisely the charge to sacrifice his son—the ultimate ethical absurdity—that clinched Abraham's decades-long quandary.

The Problem of Hearing, then, is an exegetical long-shot. The Problem of Choice reading of the Akeidah remains the most compelling.

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[12] For similar recent readings, see Dr. Chaim Trachtman here and Rabbi Hyim Shafner here.

The Problem of Choice Reconsidered

Having rejected his novel interpretation, though, Rabbi Hefter's fears loom large again. Is there no place for natural morality in the aftermath of the *Akeidah*? Have we no alternative but to embrace Tertullian Fideism or a Leibowitzean theology of submission?

The answer begins with a critically important observation: the narrative does not end with Abraham's obedience but with the angel's admonition to refrain. Rightly understood, this episode is no mere afterthought. God teaches Abraham: "If I unambiguously ask you to sacrifice everything, you must do so. But unlike the capricious pagan Gods, I do not ask for your son." To us, this message seems self-evident. At the time of the patriarchs, it was revolutionary.

In a letter that deserves to be better-publicized, Rav Kook makes the point well:

> The *Akeidah* showed that fervor and addiction to the divine idea does not necessitate that the perception of the divine should be covered in shameful trappings as those of pagan worship… (*Igerot Ha-Ra'ayah*, 2:43)

Radical passion need not beget pagan fundamentalism. Monotheistic worship is intended to be humane.

In the eloquent words of Dr. David Shatz:

> The Akeida, thus read, testifies to God's wanting religious acts to be controlled by sanity, moral judgment, and compassion. The consequence is that we, emulating God, won't abandon morality and compassion either; in our lives we will find a way to have both (along with obedience).[13]

This, I think, is the import of the *midrash*'s comment, cited by Rashi, to the effect that God never explicitly asked Abraham to sacrifice his son. In retrospect, Abraham comes to understand, it is contrary to God's nature to make such a request.

Where does this leave us regarding the balance between submission and autonomy? Where human intuition unambiguously clashes with God's heteronomous command, we must yield to God. Critically, though, before the chapter is complete, God reminds Abraham that such a request is the exception rather than the rule. On one hand, there are times when, in Rabbi Soloveitchik's words, "we embrace … the will *mi-Sinai*." As a general matter, however, the righteousness of God's commands will be evident to all those seeking wisdom.

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[13] David Shatz, "From The Depths I Have Called to You": Jewish Reflections on September 11th and Contemporary Terrorism," in *Jewish Thought in Dialogue: Essays on Thinkers, Theologies, and Moral Theories*, ed. David Shatz (Boston: Academic Studies Press, 2009), 265.

Ultimately, I think this reading is more compelling than that of Rabbi Hefter. Due to legitimate concerns regarding the dangerous extremes of an imbalanced ethic of submission, he adopts a reading that is textually and logically unconvincing, and appears to unnecessarily swing the pendulum too far from the extreme of submission to that of autonomy. As a holistic reading of chapter 22 demonstrates, the *Akeidah* narrative emphasizes both that there will be inevitable conflicts between instinctual and halakhic logic, and that this is the exception rather than the rule.

Rabbi Hefter is correct that we must safeguard against the temptations of pan-halakhism and blind faith. Rav Kook too understood this well. At the same time, to paraphrase *Ahad Ha'am*'s classic witticism, as much as the Jews have kept halakhah, halakhah has kept the Jews. Despite arguments to the contrary, the *Akeidah* reminds us that "The Problem of Choice" is crucial to cultivating a healthy, if balanced, ethic of submission.

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