

A DEFINITION OF "PROGRESS" IN JUDAISM

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What is the place and significance of progress in Traditional Judaism? This problem assumes additional importance in our own generation, when the rush of events, the increased momentum of life and the rapid growth of new and more complex sciences and philosophies leave the Traditional Jew in a maze of perplexity, striving to reconcile his faith with the newer systems of thought and lacking clearly defined criteria for the successful adaptation of Traditional Judaism to the contemporary intellectual environment. The very nature of the problem posed is difficult to treat. We cannot deny the existence of a progressive motion in Judaism without denying history, logic and science. At the same time, we cannot postulate unlimited change of any part of Judaism; to do so would be to reduce "Judaism" to a meaningless catch-word, and to strip Torah and Halacha of their very essence.

"Progress" in Judaism cannot be investigated as an isolated phenomenon. The examination of this problem must be based upon an understanding of the very form in which the dynamics of Halacha Judaism are manifested, both within Halacha itself and in the relation of Halacha to other systems, ideas and concepts. This relationship is the substance of Jewish Philosophy. The preliminary phenomenon, the form of the dynamics of Judaism, is "conflict." To study these phenomena, their interrelationship and their application to the approach of the Traditionalist to modern life is the purpose of this essay.

One of the most important aspects of Judaism¹, and one which can be said to set it apart from most other religions, is its constant engagement in conflicts of various sorts. Judaism is not a system at rest; it is a system in motion. The thinking, observing Jew cannot be intellectually or religiously static, because his very religion is based upon the resolution of a conflict, invites conflicts with other systems of thought, and predicates the path to ultimate Halachic perfection upon conflict. We are so accustomed to thinking of Judaism as being similar to other religions in that it attracts the believer by offering emotional assuagement, spiritual pacification and intellectual "peace of mind," that we overlook the obvious facts which prove the contrary.

Before proceeding to demonstrate the significance of conflict in Halacha, Jewish Philosophy and Jewish religious experience, it is appropriate to point out that one should not expect to find "conflict" listed in a record of the 613 Biblical commandments. It is not part of the substance of Judaism. It is, rather, a form of expression specific to Judaism. This unique *modus operandi* molds the character of the Halachic Jew, and it is in terms of this form that we will later discuss the importance and nature of progress in Judaism.

First let us agree that Jewish Philosophy is the expression of the relations of the Halacha to external ideas or systems of ideas, and the interpretation of Halacha with respect to these systems. We can then show the existence, nature and importance of conflict in Jewish Philosophy from a study of the method and form which Halacha itself assumes.

All sources of Halacha, from the Mishna and Talmud to the dissertations on Halacha in our own generation (with the exception of the various codes), reveal a systematic method of investigation and arriving at certain results. One idea or opinion is proposed, and the veracity or logic of this proposition is questioned by pointing out a logical fallacy, an inconsistency or other proof to the contrary, such as presenting an opposing opinion by a source which, according to the accepted method of Halacha, has the advantage of priority. This process of presenting a conflicting proposition is called a *kushia* (קושיא). The

¹—It is unfortunate that the term "Judaism" has been usurped by so many different sects that one cannot tell exactly what is meant by this word. As can be seen from the prefatory remarks, "Judaism" will be here used to designate, as a whole, that system of belief and practice which is based upon the Halacha and the Halachic traditions. The name "Judaism," as it is used in this essay, also includes Jewish Philosophy which, in turn, is also based upon the Halacha, much as the philosophy of science is based upon practical laboratory experiments in the sciences.

kushia is resolved by a תירוץ (terutz) which may or may not result in a חידוש (chidush), something new or unknown previously. Anyone who is acquainted with the Talmud, its commentaries and the great literature of Halacha, recognizes this distinct and special methodology as the greatest contributor to the advancement of Halacha. One can hardly find a single page in the Talmud, commentaries, responsa or novellae which does not manifest that vibrant and dynamic oscillation from proposition to counter-proposition, from סברא (svarah) to counter-סברא. This form of conflict in Halacha is not restricted to one age or one place; it is the universal mode of expression and advancement of the Halacha. While the terminology employed may have differed from time to time², the very nature of the Halachic method, i.e., conflict, has remained invariant both historically and geographically.

At first it would seem that the many conflicts within Halacha should shake its entire structure and be the cause for its ultimate downfall and decomposition into a hundred different sects. History, however, shows exactly the opposite trend. The process of conflict has served as a great unifying force in Halacha; it is its method and unique vehicle for dynamic perpetuation. Conflict within Halacha, represented by the kushia, has resulted in resolutions or terutzim which are more than mere indications of error in the kushia. They clarify, broaden and illuminate aspects of the proposition and counterproposition. The most far-reaching of all terutzim is the chidush — but more will be said about this later.

The Sages of the Talmud did not regard conflict as Nature's forcibly imposed obstacle which had to be tolerated³. They accepted it as the best possible method of fostering research and ultimately arriving at the truth. An excellent example of the favorable orientation of the Rabbis to conflict within Halacha can be found in the aggada concerning Rabbi Jochanan and Resh Lakish⁴. The Talmud relates that Resh Lakish died, and Rabbi Jochanan was plunged into deep grief. Said the Rabbis, "Who shall go to ease his mind? Let Rabbi Elazar ben Pdash go, for his disquisitions are very subtle." So he went and sat before him, and on every dictum uttered by Rabbi Jochanan he observed, "There is a Baraitha which supports you." Then Rabbi Jochanan complained⁵, "Are you the son of Lakisha (Resh Lakish)? **When I stated a law, the son of Lakisha used to raise twenty four objections, to which I gave twenty four answers, which consequently led to a fuller comprehension of the Law;** whilst you say, 'A Baraitha has been taught which supports you.' Do I not myself know that my dicta are right?" Thus he went on, rending his garments and weeping, "Where are you, O son of Lakisha, where are you, O son of Lakisha?" and he cried thus until his mind was turned. Thereupon, the Rabbis prayed for him and he died.

The statement by Rabbi Jochanan is more than an interesting story recorded in the Talmud. It strikes at the very heart of the modus operandi which is so vital to the halachic process, the kushia. Moreover, it indicates the raison d'être of conflict in Halacha — "רווחא שמעתא", the expansion and development of the Traditional Law or Halacha. Kushia is the necessary precursor of chidush, and conflict is the age-old path which leads to progress. But first let us turn to conflict and Jewish Philosophy.

We have defined the scope of Jewish Philosophy by saying that it acts as the agent for the relation of Halacha to the external world. This at once places certain limits on the range of Jewish Philosophy. It puts all phases of human thought, endeavor and accomplishments in its jurisdiction, but allows for only

2—In the Babylonian and Jerusalem Talmuds we find a variety of terms used for introducing the kushia and the terutz. The terms were usually indicative of the type of conflict or resolution. The Tosaphists (and other Rishonim), however, employed certain standardized terms. The kushia was usually introduced by ואם תאמר or וקשה לי or a similar expression, and the terutz was prefaced by the expression ויש לומר.

3—See my article "Criteria in the Resolution of the Conflict between Science and Halacha," Masmid, 1948.

4—Baba Mezia 84 a.

5—ibid:

בר לקישא כי הוה אמינא מילתא הוה מקשי לי עשרין ארבע קושייתא ומפריקנא לי עשרין וארבעה פרוקי וממילא הוה רווחא שמעתא, ואת אמרת תניא דמסייע לך, אטו לא ידענא דשפיר קאמינא.

those conclusions which are in consonance with the Halacha. Furthermore, the dynamics, the operational procedure, of Jewish Philosophy must be equivalent to that of Halacha, and that is conflict⁶.

The problems in Jewish Philosophy (which are actually problems concerning the resolution of certain conflicts) are diversified. The reason for the diversification of these problems becomes evident, according to our definition of Jewish Philosophy, if we consider the character of Halacha itself. Halacha is not a metaphysical system, and not even a theology. In fact, theological problems are found in the halachic literature so infrequently as to dwindle away into insignificance⁷. What does characterize Halacha, in contradistinction to other religious systems, are the variegated pattern of worldly sciences and the applications of universal knowledge which are so manifest in the literature of Halacha. It has been truly said that to be a genuine, bona fide Talmud scholar, one must also be an accomplished chemist, physicist, physiologist, zoologist, botanists, shoemaker, tailor, baker, mathematician, linguist, economist, astronomer, historian and psychologist.⁸ Many of the great personalities in Jewish History were not only well acquainted with the secular sciences of their day, but great scholars in the secular fields.

It follows, then, that since Halacha does reveal such a strongly psychosomatic nature and such intimate connection with reality, that the conflicts of which we speak should appear also between Halacha and the study of the phenomena with which it deals. This indeed is the case, as we shall show more fully later, and these conflicts form the core of the subject matter of which Jewish Philosophy must treat. We have thus added, under the general heading of "Jewish Philosophy," an entirely new field of potential conflicts. A philosophy of Judaism must, then, consider not only the usual problems which are assigned to it, such as predetermination and free will, and the like, but also all possible conflicts which may arise from new knowledge of natural phenomena and the construction of the scheme of Nature⁹.

6—Some of the later students of Jewish Philosophy have noticed this unique characteristic, and have even enumerated certain general conflicts with which Jewish Philosophy must deal. See Rabbi Nachman Krochmal's *"מורה נבוכי הזמן" שער ג' ד"ה דונמא מנורות המתנדות*.

7—One of the few references to theology in the Mishna actually expresses a negative attitude towards the study of theology. See Hagiga, 11b.

8—This is not said in jest. Several examples can be given to prove the above assertions in the order mentioned. Chemistry and physics are necessary for a study of the laws of fire, light and heat on the Sabbath and Festivals as well as for the study of solutions and absorptions of "trefa" materials, "chametz," etc. Physiology, botany and zoology are almost indispensable for a clear understanding of almost all of *יורה דעה* and much of *אורח חיים*. A knowledge of the science of shoemaking is advisable for the study of the 15th chapter of Tractate Sabbath. A good tailor should find smooth sailing in the 13th chapter of Sabbath, while the baker should feel at home in much of Pesachim. The mathematician, especially the geometer, will find that his professional knowledge will facilitate his study of the Tractates Erubin and Succah. Economics helps in *סדר נזיקין*, especially the fourth chapter of Baba Mezia, while a knowledge of astronomy is truly indispensable for *הלכות קדוש החודש*. The linguist, historian and psychologist find their places in almost all of the Talmud and Halacha. There are, of course, many more applications to Halacha possible by those acquainted with the above branches of learning, and there are many more sciences and crafts, acquaintance with which is always necessary and sometimes indispensable for an adequate understanding of all of the Halacha.

The remarks we have made are interestingly epitomized in an aggada (Sab. 89) describing a debate between Moses and the angels, during which Moses tells them of the intimate relation of Torah to natural facts, human emotions and social environment. It is worth mentioning, at the same time, that this adherence of the Halacha to natural phenomena is the basis for the *מצוות מעשיות*, whose great importance is first today being recognized.

9—The old issue which has been rehashed so often, "Science and Religion," seems to have crept in here willy nilly. Once the old fellow has appeared, we cannot show him the door mercifully. A few remarks will suffice to clear up what seem to be certain misconceptions arising from the issue of whether or not "science" conflicts with "religion."

Of late, a stream of literature on this subject has been issuing forth from religious circles, and the consensus seems to be that the conclusions of experimental science do in no way conflict with any religious dogma. This comes in surprising reversal from the previous opinions that the natural sciences lacked any real basis and, hence, their conclusions were not valid. The only points of friction, they contend, are the results of certain projected hypotheses, by scientists, which do not agree with certain religious principles. These hypotheses cannot, of course, be shown to be true experimentally, and hence

We have now come to the point where a more detailed analysis of the process of conflict is requisite for a fuller understanding of its nature, and its direct result, progress. To be as clear and concise as possible, it will be necessary to introduce a different terminology. Even before presenting this terminology, the reader is asked not to confuse the ideas here presented with the well known Hegelian triadic system. A modified Hegelian terminology will be used, but let it be clear that there is no reference to or implication of the dialectic of the German Idealist school. More will be said about this when the third term is discussed.

Leaving aside, for a while, the terms "conflict" and "progress," we can discern three distinct elements combining, in sequence, to provide the operation which is so vital to the major molding force in Jewish life. These three we shall call thesis, antithesis and neothesis.

Thesis. In Halacha itself, thesis may take any form of accepted Halacha. There is no definite halachic nomenclature which can be applied to thesis; we might call it שיטה (shita), or, if the thesis consists of an opinion which is logically constructed and offered as an explanation of some fact, a סברה (svorah). Thus, a Biblical prohibition, an opinion of the Mishna or a Rabbinic dictum can be regarded as

the resulting friction is of one theory versus another theory. The theories of evolution and the geologic age of earth are in this class of mere hypotheses. But science has no claims on validity other than those facts discovered experimentally. Religion, contrariwise, has no interest in experimental procedures or proofs. It reigns supreme in only one kingdom, the world of speculation, faith and the interpretation of psychic experiences. Science, then, has no metaphysics; religion is all metaphysics. Thus, they conclude, there are no "conflicts" between science and religion.

In the light of what has been written so far in this essay, and what will be written in later paragraphs, these arguments are entirely without basis, particularly if one attempts to apply them to Judaism and Halacha. Certainly there are conflicts, very real conflicts, between certain discoveries of experimental science and several aspects of the Halacha. But these conflicts are not to be looked at askance; they should be nourished, developed and studied. Blistering and unfounded attacks on the foundations of the natural sciences or resignation from the world of natural facts will in no way advance either science or religion. Furthermore, the wrong conflicts, if indeed, conflicts they are, have been dealt with in the history of the science-religion polemics. Emphasis has been placed mostly on the conflicts between scientific hypotheses with those aspects or dogma of religion which are most given to reinterpretation of a more than moderate nature. Thus, the teachings in Genesis versus the theories of evolution, archaeology, anthropology and geology have held the limelight of scholastic attention almost to the complete exclusion of all other conflicts. Yet, speaking after several generations of fruitless polemics, the issue is rather trivial. Judaism will certainly not suffer if it is believed or even proven that Earth and Man are older than the age traditionally attributed to them. Defining conflict as the mutual opposition of any two ideas, there are conflicts of much more practical significance than the "Darwinism" issue. Let us give an example of such a conflict. The Rabbis of the Talmud permitted the killing of a louse on the Sabbath, despite the fact that it is forbidden to kill any living being which bears offspring by sexual reproduction, because, one school held, lice do not reproduce. (Sab. 107b). For almost the last one hundred years, however, we know, by the conclusions of experimental science, that spontaneous generation simply does not exist. Here, then, is a conflict. Certain Rabbis of the Talmud insisted that lice do not reproduce (the decision of the Talmudic authorities was such) and hence we may kill a louse on the Sabbath. Modern science tells us, however, that they do reproduce, and hence the Halacha should forbid such an act. The reader may smile forbearingly at this point, but the fact remains that we do have a conflict, and one which begs a solution.

According to the manner in which we shall later define the methods for the solution of such problems, this conflict should be treated by accepting the findings of experimental science which deny the possibility of spontaneous generation, and apply them to the halachic principle of איסור נטילת נשמה בשבת, this forbidding the act of killing a louse on the Sabbath. Here, a simple case, the conflict with science has helped us to better understand the prohibition of נטילת נשמה on the Sabbath, and the conflict has thus served a noble purpose by indicating the proper course of religious behavior.

Summarizing, there certainly do exist conflicts between experimental science and the Halacha which depends, to such a great extent, on our knowledge of the facts of natural phenomena. Any attempt to dismiss the existence of such conflicts results from a lack of appreciation of the psychosomatic nature of Halacha and its universal applications. It is this very dependence of Halacha upon the facts of Nature that makes scientific progress imperative for a correct understanding and practice of the Halacha. Too often, unfortunately, religious people observe with a feeling of suspicion and even horror the rapid advances of the natural sciences. The attitude of the Traditional Jew to scientific progress should be one of hopeful expectancy. The more advanced and profounder discoveries of science make us more conscious of the presence of G-d who has designed and controls this great and wonderful cosmic process in all its complexity; they make it possible for us to practice the Halacha in our daily lives as it should be practiced.

a thesis. In Jewish Philosophy, thesis takes on a very definite shape, that of Halacha as an indivisible entity. All the branches of Jewish Philosophy are necessarily concerned with the development of this thesis which takes on additional significance when it is regarded as a composite whole. Individual halachot are also theses in Jewish Philosophy when they are questioned from an extra-halachic point of view.

Antithesis. In intra-halachic relationships, antithesis is understood as either a thesis which contradicts a previous thesis, or as a logical attack upon the accepted thesis. In the terminology of Halacha, the word קושיא (kushia) is applied to both forms of antithesis. We find a similar situation in Jewish Philosophy, understanding, of course, that the accepted thesis (against which the antithesis is presented) is Halacha as such. Here, too, we detect two corresponding types of antithesis. One category would include that type of antithesis described by the juxtaposition of two independent systems, one of which is Halacha, the thesis of Jewish Philosophy, with certain elements of the two theses being incongruent with each other. An example of such an antithesis would be the incongruence of certain parts of Halacha with some of the conclusions of the natural sciences, or, let us say, with Aristotelian philosophy (with which Maimonides and other medieval Jewish philosophers were so concerned). The second category would include that type of antithesis which is described not by the incongruence of Halacha with another independent system, but by a questioning of the validity of Halacha based only upon logical considerations. Here there is no separate system set up which does not happen to coincide with the spirit of Halacha, but rather there is an attack devoted exclusively to and concentrating singularly upon Halacha, without attempting to replace Halacha with another comparable system.

The combination of these two terms, "thesis" and "antithesis," their juxtaposition and mutual opposition, is now clearly the description and analysis of "conflict," the term which has been used heretofore.

Neothesis.^{10, 11} This word is compounded of the words "thesis," already defined, and the Greek "neos," meaning "new" or "recent." The more exact meaning of neothesis, as we shall use it, is "modified thesis" or "redefined thesis."

Neothesis is the focal point in Halacha, and the crux of progressive motion in Jewish Philosophy. Upon the acceptance or rejection of neothesis depend, too, the very distinct differences between Traditional or Halachic Judaism and the Reform and other religious sects in modern Jewish history. By successfully demonstrating the existence of and necessity for neothesis in Halacha and its exact equivalent in Jewish Philosophy, we can produce a clear formula which is applicable to the resolution of the problem of the adaptation of Halacha to modern environment.

In Halacha, neothesis is most closely represented by the term "חידוש" (chidush)¹². In fact, by examination of the process and technique of chidush, one comes to a clearer understanding of the importance and mechanism of neothesis in Jewish Philosophy. The method of Halacha is such that the thesis is present, and the kushia (which we have included in the general group of "antithesis") is presented against it. The terutz, or solution, may be of a simple nature, where it is pointed out that an error was made in the quotation or in the assumption of the authenticity of the thesis; or, if the kushia is in the category of the

10—It is easy to understand why many people object to the coining of new words. In this case, however, it was deemed advisable to use this new term in order to facilitate both expression and comprehension of the idea presented. After much thought on the matter, it was found that existing terms are inadequate to convey the exact idea which is now being considered. In offering a new word for a specific thought, one has the advantage of being able to define the word as he wishes, thus eliminating most of the confusion which arises from new definitions of words already in use.

11—It is obvious that at this point we depart from the traditional Hegelian terminology. The difference between "neothesis" and "synthesis," the traditional third member of the dialectic triad, will be discussed later.

12—The very word "חידוש" is what has induced the writer to choose the prefix "neo" in the word "neothesis." חידוש comes from חדש, meaning "new." Just as the word "חידוש", implying "new," needs clarification and definition, so the word "neothesis," similarly implying "new," must be clearly understood and accurately defined. As with thesis and antithesis, we must adhere to the halachic equivalent of neothesis in placing it in its proper perspective in Jewish Philosophy.

purely logical antithesis, the logic is shown to be different from that supposed. In many cases, however, (and it is the profound understanding of Halacha necessary for the Talmudist to be able to offer such a terutz which gives him his mark of distinction as a Talmud scholar) the terutz assumes a nature of much greater importance, and that occurs when a chidush is proposed, when something new is presented. Chidush does by no means imply that the original thesis is discarded, or that the entire antithetic element is rejected, for if so we would have no terutz; rather, the **thesis is redefined in the light of new knowledge gained from the antithesis**. In this manner, the conflict is satisfactorily resolved and, what is more, the thesis is more properly understood in a manner more closely approximating its true¹³ content and intent. The process of chidush, then, involves neither discarding the thesis nor changing it. If change implies omission of what is recognized as having been an integral part or intention of the thesis, then change finds no place in the process of chidush. Chidush, in essence, redefines the thesis in the light of the antithesis, thus striving to approach as closely as possible what is believed to have been the original intention of the thesis. Never is there an attempt to omit any part of the true, or original, meaning of the thesis. When a Talmudist proposes a chidush, far be it from him to say that what he is proposing is something not found or intended in the Torah! Rather, he proposes this chidush believing that while his disquisition is new in the sense that there is no record of anyone having uttered similar opinions, yet this is what the Rabbis, in their interpretation of the Word of G-d, actually intended¹⁴.

Neothesis is to Jewish Philosophy what chidush is to Halacha. Both are the focal points of their respective systems, and both impart to their systems the momentum of what we call "progress." When the Halacha is questioned, by the process of antithesis, it then becomes the duty of Jewish Philosophy to resolve the conflict by neothesis. Not one iota of the original thesis is discarded or changed but a re-examination of the thesis ensues, guided by the facts of the antithesis, and subsequently a redefinition of the thesis resolves the conflict.

We are now in a position to discuss the essential difference between chidush, or neothesis, and the third member of the triadic structure of Hegelian dialectic, synthesis. Neothesis differs from synthesis as follows:

13—The adjective "true" is here used advisedly. What is meant is the original intention of G-d as recorded by Moses in the Torah, or handed down by him in the Oral Law, and subsequently interpreted by the Rabbis.

14—See Shmot Rabba, 28:

ולא כל הנביאים בלבד קבלו מסני נבואתם, אלא אף החכמים העומדים בכל דור ודור, כל אחד קבל את שלו מסני.

The reader will notice that from the manner in which **חדוש** is understood in this essay, it bears no relation to the problem of **אסור לנביא לחדש דבר**, the prohibition on Prophets to add to any of the commandments of the Torah. Even then, it seems that Rashi (on Megillah 14a) interpreted this prohibition to apply only to the Prophets, but the Sages who lived in the periods following the decline of the Prophetic period were permitted to add to the commandments of the Torah, provided that they made it clear that the commandment was one imposed by the Sages. This is evident from Rashi's explanation of the Talmudic dissertation on the problem of the commandment to read the "Megillah." Rashi asks why the Talmud discusses only the Rabbinic commandment concerning the reading of the "Megillah" and not the commandment concerning the Chanuka lights. He answers that the commandment to read the Megillah was given in a period of the later Prophets (Haggai, Zecharia and Malachi) while the Chanukah commandment was given in the days of the Hasmoneans after the period of the Prophets had already closed. On the question of Megillah, the Talmud gave several answers, one by employing the a fortiori argument (Meg. 14a) and in the Talmud Jerusalemi (Meg. I, 5) by saying that hints of the miracle of Purim and the reading of Megillah are to be found in the Torah. More germane to our discussion is the solution which the Talmud offers to the problem of the Rabbinic commandment on Megillah in Tractate Shevuoth (39a). The opinion expressed there is that the Rabbinic commandment concerning Megillah was received by Moses at Sinai. (Such is the interpretation of the Talmud by the Ramban, or Nachmanides, in his commentary on Maimonides' "**ספר המצות**". Rabbi Isaac de Leon, however, in his commentary on the "**ספר המצות**", called "**מנלת אסתר**", says that the meaning of the Rabbis' statement in the Talmud is not that the Children of Israel at Sinai were directly commanded to observe Purim by reading the Megillah, but that they consented, in a general manner, to observe all those commandments which later were placed upon them by the Sages of each generation). If, indeed, the Talmud believed that all commandments which had no obvious basis in the Torah were Sinaitic in origin, then a fortiori those chidushim whose aim it is to rediscover the original intention of the Sinai Oral Law or Written Law are certainly valid by the same principle.

For synthesis we assume two groups, each consisting of a set of propositions. If we refer to one group, or set of propositions, as "thesis," and we find that certain propositions of the other group contradict certain propositions of the group thesis, then the second group is referred to as "antithesis." Synthesis now implies that the contradictory propositions of both groups are eliminated, and all other propositions, not being contradictory or inconsistent, are combined to form a third group. Neothesis, on the contrary, implies that no essential propositions of the thesis are dropped; rather, the thesis propositions in question are modified **as far as our understanding of them is concerned** in the light of its opposing propositions in the antithesis group. Neothesis thus does not imply indiscriminate "change." It signifies a better appreciation and truer understanding of Torah and Halacha in the light of secular wisdom as it, secular wisdom, evolves through the ages.

We find this to be true historically. Maimonides faced a conflict which is described by the mechanism of antithesis just given. He certainly gained a new understanding and insight into Torah and Halacha, but by no means did he ever think of eliminating a single halacha or essential element of the Halachic faith. The difficulty which certain people found in reconciling the Maimonides of "Mishne Torah" with the Maimonides of the "Guide" is based on their lack of understanding of the process of chidush, or neothesis, in Jewish life. This difficulty or lack of insight into the belief and method of Halacha has led people like Ahad Ha'am¹⁵ to attribute the "Guide" to Maimonides' rationalism and the "Mishne Torah" to his desire to "fool" the common Jew, to give him something "Jewish" to think of, this being a "nationalistic" aim of Maimonides. Other Haskala writers, not being quite as generous to Traditional Judaism as Ahad Ha'am, concentrate only on the rationalism of the "Guide," without the barest of comments concerning any phase of his greater work, the "Mishne Torah," and not even allowing it the benefit of being at least a good literary trap for the unsuspecting Traditionalist. In general¹⁶, there is, or was, a tendency among Haskala historians to place Maimonides the Philosopher on the highest pedestal of Jewish History, while condemning Maimonides the Rabbi to the ethereal graveyard of unsung praise and the nirvana of unwritten history. At the same time, many Traditional Jews overlook the "Guide for the Perplexed" entirely, and mention it belatedly, as if it were an unavoidable admission of guilt. Indeed, some who have never set eyes on the book would have us believe that the "Guide" contains some secret cabalistic writings which the ordinary Jew is forbidden to read. Thus, from Ahad Ha'am's fantastic assertion giving credit to Maimonides as a master schemer, to the extremely orthodox belief in the secret cabalism of the "Guide" as the most efficient manner of keeping it under effective anathema, we find a great variety of "solutions" to the historical "paradox" of Maimonides, without anyone ever considering the "Guide" as an equivalent of the Halachic chidush. If we are to be unbiased and look upon Maimonides as he was — a single individual and consistent thinker, not an intellectual schizophrenic — we will see that his "Guide" and his "Mishne Torah" are composed of the same elemental stuff. Both reveal the same attempt to further the progress of Halacha, one with respect to Halacha itself, and the other (being Jewish Philosophy) with respect to Aristotelian philosophy. In both, the process of conflict — thesis and antithesis — gives impetus to chidush-neothesis. It is the success of this venture in Halacha and in Jewish Philosophy which raised Maimonides to the position where he was a cynosura for the eyes of all his contemporaries, and a great and noble historical landmark for generations to come.

15—For an excellent English translation of the essay in which Ahad Ha'am expresses this idea, see his "Supremacy of Reason" in "Ahad Ha'am: Essays, Letters, Memoirs," translated by Leon Simon, Philosophia Judaica Series, East and West Library, 1946.

16—Maimonides was not the only one to suffer from the prejudice of sectarian Jewish historians. A point in case is the interpretation of the stand taken by Rabbi Menahem Ha'Meiri on the polemics concerning the study of Greek philosophy. Meiri, who lived in the 13th century, was one of the great compromisers in the debate, then raging in full force, as to whether or not the study of philosophy and certain other studies was permissible.

Rabbi Abba Mari of Lunel was one of the leading spirits of the anti-philosophy movement which was then gaining momentum. He was, it seems, acquainted with the teachings of Greek philosophy, and evinced great respect for Aristotle,

Neothesis, as the backbone and forerunner of progress, is an upward motion, an attempt to rediscover the original intention of Torah and the Sinaitic tradition on which Halacha is based; it is an attempt to recover, by the methods at our disposition, what today is lost but once was known by Divine inspiration. One is inclined to believe that when Joshua the son of Nun forgot the three hundred laws and was faced with seven hundred new doubts, according to the relation in the famous aggada,¹⁷ the Children of Israel were blessed with the development of a new and potent weapon, conflict, which they used; and now use, as a primary instrument to forge ahead, creatively and progressively, to a rediscovery of the Revelation at Sinai. The well known dictum that whatever chidush a bona fide student of the Talmud formulates was said at Sinai, is an excellent expression of the validity of chidush, and hence neothesis, as a process of rediscovery. The expression "תיקו" (teiku) which the Talmud uses to indicate a lack of any final and definite solution of a problem, with neither side showing greater evidence of verisimilitude, is taught to all young "cheder" students as being the abbreviation of "תשבי יתרץ קושיות ובעיות", "Tishbi (Elijah) will answer all kushiot and questions." An excellent comment on the hope for an ultimate solution of all conflicts, at some future time, and a consequent rise to the levels of Sinai!

It was previously stated that conflict does not form part of the very substance of Judaism, but it is, rather, the guiding force of the form of Judaism. This idea should be reemphasized. We nowhere find any Jewish concept of a perfect world or any Jewish eschatological hope which is built on the foundations of conflict. The moral and ethical beliefs and the traditions of Israel are fixed and established, and the striving to reach moral or ethical perfection as such is based upon personal and social principles which, it seems, do not involve the principle of conflict.

comparing him, at times, to the Patriarch Abraham. However, he felt that the prevailing tendency among young Jews to pursue secular studies would be detrimental to their Jewish studies. Abba Mari's main interest, then, was pedagogical. He embarked upon a crusade against the secularists and wrote letters to all of the most prominent Rabbis of his day entreating them to join him and Rabbi Solomon b. Aderet in announcing the excommunication of all who pursue the secular studies. Abba Mari, in a letter recorded in his book "מנחת קנאות", No. 172, asked Meiri for his consent. Meiri's reply is lost, only fragments remain, but it is obvious that he refused.

On this basis alone, Graetz, the greatest of all Haskala historians, announces with a flourish that "Meiri was the friend of free thought, and a determined enemy of mummified orthodoxy and the unreflecting faith of the literalist." From the manner and style which Graetz uses to depict the type of person that Meiri was, one might think that Meiri too was a champion of the Haskala and determined enemy of Traditional Judaism. Yavetz, the Traditional historian, on the other hand, hurriedly skims over Meiri's reply to Abba Mari, and places Meiri on the anti-secularist side of the fence.

What are the pertinent facts? First, as has been stated, Meiri refused to identify himself with Abba Mari's anti-secularist movement. Second, and this is far from sufficiently covered in Graetz's history, Meiri believed that a thorough knowledge of Torah, Talmud and the Rabbinic literature was prerequisite for a study of natural science and metaphysics. Meiri ("Beth Ha'behira" on Abot, III, 22) writes: **אין ראוי לאדם להכנס בחכמות הטבעיות והאלוקיות עד שימלא כריסו . . . בחכמת התורה והתלמוד.**

and later: **אחר שישלים עצמו בחכמת התלמוד יתחיל בחכמות האחרות . . . המבוא**
להם התלמוד, והם תקופות ונמטריאות . . . חכמת התכונה והמספר והתשבורת והשעור, ומן יבוא לטבעיות ואלוקות.
 Surely this is not the manner of speech and train of thought for a hard-bitten, chest-beating Maskil who is a bitter enemy of "mummified orthodoxy"!

We thus find Meiri, along with Maimonides, as burnt offerings on the altar of historical prejudice. No one will deny that the historian cannot entirely free himself, in the interpretation of historical data, from the bonds of his own preconceived notions. Yet, when the historian consciously overlooks certain salient facts in his evaluation of historical personalities or events, he stands accused of premeditated falsification of history and violation of the ethics of his mission.

I cannot and do not believe that the attempt, in the next few paragraphs, to reestablish an equilibrium and balance in the interpretation of historical data on Maimonides and others is the Absolute Truth and explanation of all facts by Divine Inspiration. But I do believe that this foray into Jewish history is based more on known facts than on interpretation. At least here both aspects of the character being studied are included on an equal basis, and the facts precede the interpretation, rather than the interpretation preceding the facts.

17—Temurah 16a.

However, it does seem that the essence of conflict has roots which sink deep into Jewish religious experience. A full discussion of this matter is beyond the scope of this essay, but it will do well to point out certain salient examples of conflict and paradox in the religious experience of the Jew, albeit that our discussion must be of a fragmentary nature.

It can be said that the main source of the religious drive is the paradox of the coexistence of the material and the transcendental. The religious person, in his attempt to bridge the gap between these two, if they are at all bridgeable, finds that this basic paradox manifests itself in many or all of the spheres of his religious experience. He will thus find that in his consciousness there rages a mighty conflict between the feeling of the transcendence of G-d and His proximity, between His omnipresence and His special restriction to one Holy Place, and between the fear of G-d and the love of G-d.

No better source can be found for the expression of the conflict between the feeling of the transcendental and the proximity of G-d than in the קדושה, "Holiness" prayer, which is recited aloud and in public during the Amidah. G-d is described as קדוש, majestic, awe-inspiring, transcendental, removed from the petty details of human existence, and reigning over the cosmos in Divine grandeur; in the second half of the same sentence we say, "מלא כל הארץ כבודו", the world is filled with His glory. He is close to every being, the Father of all living flesh, interested in every minor particular of human and natural existence, and exerting Divine Providence over every human transaction, no matter how small or insignificant.

This very same conflict is expressed, with rare beauty, by the most famous of all medieval Hebrew poets, Yehudah Halevi. In a poem¹⁸ entitled "כבודך מלא עולם", the poet writes:

Lord, where shall I find Thee?
High and hidden is Thy place;
And where shall I not find Thee?
The world is full of Thy glory.
and later,

I have sought Thy nearness,
With all my heart I have called Thee,
And going out to meet Thee
I found Thee coming toward me,
Even as, in the wonder of Thy might,
In the sanctuary I have beheld Thee.
Who shall say he hath not seen Thee?—
Lo, the heavens and their hosts
Declare the fear of Thee,
Though their voices be not heard.
Doth then, in very truth,
G-d dwell with man?
What can he think—every one that thinketh,
Whose foundation is in the dust—
Since Thou art holy, dwelling
Amid their praises and their glory?

יִיָּה אֵנָה אֲמַצְאָךְ
מְקוֹמְךָ נִעְלָה וְנִסְתָּר
וְאֵינָה לֹא אֲמַצְאָךְ
כְּבוֹדְךָ מִלֵּא עוֹלָם

דִּרְשִׁיתִי קִרְבְּתְךָ
בְּכָל לְבִי קִרְאִיתִיךָ
וּבִצְאָתִי לְקִרְאָתְךָ
לְקִרְאָתִי מִצְאָתִיךָ
וּבִפְלְאִי גְבוּרָתְךָ
בְּקֹדֶשׁ חֲזִיתִיךָ
מִי יֹאמֶר לֹא רָאִךְ
הֵן שָׁמַיִם וְחַיִּים
יְגִידוּ מִוִּרְאֶךָ
בְּלִי נִשְׁמָע קוֹלֶם
הָאוֹמֵנִם כִּי יֵשֶׁב
אֱלֹקִים אֶת הָאָדָם
וְמֵה יִחְשַׁב כָּל חֹשֶׁב
אֲשֶׁר בַּעֲפֹר יִסְוֶרֶם
וְאַתָּה קָדוֹשׁ יוֹשֵׁב
תְּהִלָּתוֹם וּכְבוֹדוֹם

Conflicting ways in which one can conceive of G-d are very beautifully expressed in the "שיר הכבוד", the "Hymn of Glory," which men like Rabbi Solomon Luria, Rabbi Jacob Emden and Rabbi Elijah the Gaon of Vilna deemed too sublime for hurried daily recital and had it restricted to Sabbaths

18—Translations of the passages quoted are by Nina Salaman, "Selected Poems of Jehudah Halevi," Jewish Publication Society, 1928.

and Solemn Festivals. Written by Judah the Pious (died 1217) in what was evidently a moment of great religious ecstasy and yet profound thought, the poem describes G-d as He has been conceived, in very conflicting fashions, by the different Prophets of Israel. The Midrash¹⁹ expresses a very similar thought, describing G-d as having been recognized by the Children of Israel at the Sea as a Warrior, at Sinai as a Sage and Teacher of Torah, in the days of King Solomon as a Youth, and in the days of Daniel as an Old Man, full of mercy. (And yet, continues the Midrash "'I am the Lord thy G-d'; I was at the Sea, I was at Sinai, I was at all these places"). Maimonides,²⁰ discussing the Divine attributes, explains the many conflicting attributes of G-d, as merciful and jealous, gracious and revengeful, and so on, by tracing the attributes set aside for G-d to the basic psychic conflicts raging within the human being. Thus, in times of plenty he subjectively conceives of G-d as the Gracious, and in times of great adversity as the Revengeful. Conflict thus finds its place in the inner recesses of the religious consciousness and in the essence of Jewish religious experience.

In summary, we have defined the scope of Jewish Philosophy and identified its method with that of Halacha; in both we have recognized and analyzed the process of conflict and the movement of progress. Conflict was seen to be the necessary precursor of progress, which is called *חידוש* (chidush) in Halacha, and neothesis in Jewish Philosophy. This progress, whose direction is towards Sinaitic perfection, was described as a redefinition of accepted theses in the light of new knowledge, without ever changing the thesis or theses in whole or in part.

We have, then, a history-tested, systematic approach to problems of the adaptation of Halacha to and the reconciliation of Traditional Judaism with contemporary systems of thought and investigation. The Traditional Jew need not look upon modern philosophy and modern science with fear or suspicion. Conflicts with them should be accepted as being part of the natural current of the Halachic stream of progress, and interest in the solution of these conflicts can be used to the great benefit of Halacha and Traditional Judaism. These conflicts present an unequalled challenge to the creative ability of Traditional Jewry. In an atmosphere supercharged with conflict, Halacha finds its optimum conditions for true dynamic growth and progress.

19—Tanhuma, Yithro; Mehilta, Beshalach.

20—"Guide for the Perplexed," Part I, Chapter LIV.

AND WE, ANDREW MARVELL

Time prods us with relentless spear.
Days, hours, and minutes are born,
Live too briefly, then, passing on,
Bequeath a graveyard of hopes fordone.

Night tenders us a lone, still tear,
Whispers of another day to mourn,
And of yet another soon to be born,
With the roseate hue of half-unwanted dawn.

CHARLES BAHN

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